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ABSTRACT

Based on a survey of state directors of community and junior college education in all 50 states and Puerto Rico, this five-part report presents an analytical and descriptive review of 1982 state legislation and court decisions affecting two-year colleges. Part I presents study methodology, which involved requests for copies of legislation affecting the state systems, information on key legislative issues expected for 1983, and copies of recently decided court cases with potential impact on the two-year colleges. Part II analyzes findings as they relate to: (1) finance; (2) administration; (3) the construction and operation of facilities; (4) institutional expansion and name changes; (5) personnel benefits and collective bargaining; (6) student rights, regulations, fees, and financial aid; and (7) academic programs, curriculum, accreditation, and certification. Part III examines administrative legislation and its impact on institutional autonomy, while part IV analyzes the intent and impact of legislation on community colleges, providing a review of 1981 and 1982 findings, and a comparison of findings for 1978, 1981, and 1982. Top-ranking legislative issues are projected in part V for 1983, and, in part VI, eight 1981-82 court decisions affecting community college personnel, students, finance, or administration are reviewed. Part VIII presents summary conclusions. Appendices include abstracts of relevant legislation and the survey instrument. (AYC)

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State Legislation Affecting Community, Junior, and Two-Year Technical Colleges 1982

S. V. Martorana and Patricia C. Corbett

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Prepared in cooperation with the National Council of State Directors of Community and Junior Colleges

Center for the Study of Higher Education
Report No. 39

The Pennsylvania State University
University Park, Pennsylvania

June 1983

JC 830 330

HIGHLIGHTS OF 1982 STATE LEGISLATION RELATING TO COMMUNITY, JUNIOR, AND TWO-YEAR TECHNICAL COLLEGES

By

S. V. Martorana and Patricia C. Corbett

State Legislation Rapidly Increasing

The amount of legislation received has substantially increased in the more recent annual reports. The number of issues received this year is up 54 percent over that received in 1981 and 75 percent over that of 1980. The average number of topics received per student has grown from eleven in 1980 and 1981, to seventeen in 1982.

Administrative Issues Regain Top Legislative Priority Over Finance

Administrative issues have emerged as the number one priority surpassing the former predominant category of finance. The combined totals of these two categories represent 65 percent of the legislation received--a 15 percent increase over the combined totals of 1981.

General Appropriations Consistently Increasing

Most state legislatures still provide increased appropriations in absolute revenue to community, junior and two-year technical colleges. The 1982 average operating appropriations were up 13 percent from 1981 marking the largest mean increase since 1978-1979. Related reports, however, show public support for two-year colleges falling behind their needs to provide fully their mission of comprehensive programs and services.

1982 Key Legislative Issues

The four major areas of finance, administration, personnel and students dominated the 1982 legislation. Within the finance category financial procedures were the overwhelming majority. Many diverse themes threaded throughout the administrative legislation. Among these were: board increases, replacements and regulations, open meeting laws,

rule-making, confidentiality and disclosure, joint commissions, needs of the handicapped, teacher preparation and quality of education. Other topics dominated the area of personnel. These were: retirement, salaries, seniority, liability, public disclosure, discrimination, and legal representation. Unlike 1981, when the principal student theme was the student's role in institutional decision-making, the majority of the 1982 student issues were related to loan repayment, discrimination and equal opportunity, residency, tuition waivers and grants. Numerous special interest groups appeared. Included were senior citizens, veterans, part-time students and children of firemen and policemen.

Legislators Continue to View Community Colleges as Part of the Larger Educational Enterprise or Other Government Services

As in 1981, slightly over 76 percent of the legislation affecting community colleges was primarily intended for application to postsecondary education in general or to state governments rather than to apply exclusively to community colleges.

Money Problems and High Technology--Projected Top-Ranking Issues Projected for 1983

Chief executive officers responded to the 1982 companion survey forecasting top-ranking issues expected to receive serious and special attention in the 1983 legislative sessions. By far, financial issues dominated the responses and accounted for 45 percent of the issues from 91 percent of the reporting jurisdictions. This finding was further supported by the fact that the financial legislative issues received in 1982 increased 327 percent over those received in 1981.

Two-year colleges are increasingly seen as means for economic development in the states. High technology programs are being intensely developed in efforts to stimulate economic development and recovery. Several states find they must change their employment base and high technology appeals to be a potential solution with programs appearing in 20 percent of the report jurisdictions.

1981-1982 Court Decisions Affecting Community, Junior and Two-Year Technical Schools

Eight court cases were received from the field and presented in this report; this provides a further basis for understanding current happenings substantively related to state legislative issues affecting community, junior, and two-year technical schools throughout the country. Unlike the legislative analysis and survey responses, the majority of the court decisions were not focused on fiscal and administrative matters but on personnel issues. Of the eight cases submitted, five of them dealt with personnel; the others argued issues dealing with students, financial matters and administration.

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FOREWORD

Since 1975 the Center for the Study of Higher Education, The Pennsylvania State University, and the National Council of State Directors of Community and Junior Colleges have cooperated in an annual review of state legislation affecting the two-year college. This report is the eighth in the series. The continuing cooperative project represents the Center's concern with the design and dissemination of research particularly related to matters of state- and system-wide policy, governance, and coordination of postsecondary education. In this instance, the intent is two-fold: first, it is to describe and analyze pertinent legislative activity occurring throughout the United States which bears meaningfully on all kinds of two-year colleges, and thus increase the awareness of those involved in postsecondary affairs with these developments; second, it is to probe analytically into the nature of the issues which attract public policy action and that of actions taken on them by public policy makers.

This report presents information on state legislative actions affecting community, junior, and two-year technical colleges throughout the nation. It includes both the factual material provided by the states and an interpretive evaluation and synthesis of state legislative developments. Additionally, it reports the findings of a survey designed to identify highlight legislative issues expected to arise in 1983 as well as recent court decisions with potential impacts on two-year collegiate institutions.

The report is designed so that those wishing to gain a broad understanding of legislative matters can do so through a reading of the text while those interested in specific legislative actions can consult the abstracts of the relevant bills and laws. In this regard any inquiries concerning specific legislative items should be addressed to the appropriate state director. Any comments or observations about the work in general, however, should be forwarded to the authors at the Center.

William Toombs
Professor and Director
The Pennsylvania State University
Center for the Study of Higher Education

PREFACE

This is the eighth annual survey and analysis of state legislation affecting community, junior, and two-year technical colleges. The National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education, The Pennsylvania State University, have once more supported and participated in the project as they have done since 1975.

We wish to call particular attention of all readers to the analytical portions of the report which appear in Chapters III, dealing with administration legislation and institutional autonomy, and IV, discussing legislative intent and impact on two-year colleges, as well as to the final Chapter VII which presents some overall conclusions and related comments. The trends and generalizations reported in those chapters, we believe are especially important to the field.

The co-authors of this report also want to thank the persons and agencies who have assisted with its production. First, we would like to thank the National Council for its continuing interest and financial support of the project. We hope that this report and other preliminary ones made earlier in the year justify the Council's on-going support and encourages it to cooperate in similar, future reports.

Second, the vital roles of individual members of the National Council and their staffs (so many who are known to us only as telephone voices or correspondents) who have helped in this project must be acknowledged. Their conscientious efforts provided the original sources of legislative and survey material that supplied the foundation for this report. We thank them for their cooperation and assistance.

Finally, we want to acknowledge the continual support provided by the Center for the Study of Higher Education, The Pennsylvania State University. Special acknowledgements are given to members of the Center's staff. Ann-Marie Bratton and Pat Duich furnished diligent and meritorious secretarial assistance that was essential in the production of this report with help from Rita Hall, and, Marilyn Downing provided careful administrative coordination in key aspects of the project especially in the the preparation of the final manuscript.

To all of the above, a most sincere thank you.

S.V. Martorana
Patricia C. Corbett
June, 1983

I
INTRODUCTION

This is the eighth annual survey and analysis of state legislation affecting community, junior and two-year technical colleges. The National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education, the Pennsylvania State University, again cooperatively supported and participated in the project.

The U.S. Office of Education published studies of state legislation affecting postsecondary education in general from 1957 to 1965. That review was discontinued in 1965, however, and a ten-year hiatus followed in which there was no comprehensive review of legislation.

Then, in 1975, the National Council decided to support the reinstitution of an annual review of legislation with a specific focus on community and junior colleges. The Center for the Study of Higher Education at Penn State agreed to participate in his endeavor. Studies of state legislative activity were completed and published for the periods 1973-75, 1976, 1977, 1978, 1979, 1980, and 1981. The 1980 report was acclaimed by the National Council of Colleges and Universities, an affiliate of the American Association of Community and Junior Colleges, as the best and most significant research and service publication in the field produced during 1981. Articles summarizing and/or focusing on specific aspects of these studies have appeared in such publications as Community and Junior College Journal, Community College Review, and Community College Frontiers.

Data Collection Procedures

As in previous years, the 1982 study involved a four-step procedure. First, state directors of two-year colleges throughout the United States, the District of Columbia and three of the U.S. territories (Guam, Puerto Rico and the Virgin Islands) were mailed a letter on August 16, 1982 requesting copies of bills and/or analyses of 1982 state legislation affecting their institutions and systems. The

request also asked state directors to answer a survey question focusing on key legislative issues expected in their jurisdictions in 1983 and to provide recently decided court cases with potential impact on the two-year type programs. After receiving an initial response from the field, follow-up requests were sent on October 6 and December 17 respectively (see Appendix E). A preliminary report and analysis of the responses were shared with state directors attending the National Council's annual meeting on December 2, 1982. Respondents who had provided material included in the report were asked to review it to ensure the accuracy and clarity of the data and discussion regarding their states. Two state directors submitted modifications which were incorporated into the final draft. During January and February, 1983, states which had not responded to the requests for information were contacted by telephone to ensure as complete a response from the field as possible.

Prior to the final analysis, all fifty state directors, the District of Columbia and Puerto Rico responded to the request for information on state legislation; forty-five respondents completed the survey question on legislative issues for 1983; and eight jurisdictions supplied recent court decisions. The information provided in Table 1 details the degree of response. Some information was received postanalysis and regretably could not be used in the development of the final report.[1]

Analytical Procedures

Before beginning discussion of the review of 1982 legislation, the methods and analytical procedures used here will be briefly discussed. The quantity and variety of legislation received from the states each year is diverse. To organize and present clearly the material to the reader, each piece of legislation is categorized according to an established, yet modified, scheme. To provide continuity in this series, the approach used here closely follows that of preceding reports.

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[1]These data are presented, however, as an addendum in Appendix I.

Table 1

JURISDICTIONS RESPONDING TO 1982 STATE LEGISLATION STUDY INQUIRIES

ID#	Jurisdiction	Legislation	Inquiry Concerning Legislative Priorities For 1983	Recent Court Decisions
1	Alabama	X	X	
2	Alaska	X	X	
3	Arizona	X	X	
4	Arkansas	X	X	
5	California	X	X	
6	Colorado	X	X	
7	Connecticut	X	X	
8	Delaware	X	X	
9	Florida	X	X	
10	Georgia	X		
11	Hawaii	X	X	
12	Idaho	X	X	
13	Illinois	X	X	X
14	Indiana	X	X	
15	Iowa	X		
16	Kansas	X	X	
17	Kentucky	X	X	
18	Louisiana	X	X	X
19	Maine	X	X	
20	Maryland	X	X	
21	Massachusetts	X	X	X
22	Michigan	X	X	
23	Minnesota	X	X	X
24	Mississippi	X	X	
25	Missouri	X	X	
26	Montana	X		
27	Nebraska	X	X	
28	Nevada	X	X	X
29	New Hampshire	X	X	
30	New Jersey	X	X	
31	New Mexico	X	X	
32	New York	X	X	
33	North Carolina	X		
34	North Dakota	X		
35	Ohio	X	X	
36	Oklahoma	X	X	
37	Oregon	X	X	
38	Pennsylvania	X	X	X
39	Rhode Island	X	X	
40	South Carolina	X	X	
41	South Dakota	X	X	
42	Tennessee	X	X	
43	Texas	X	X	
44	Utah	X	X	
45	Vermont	X		
46	Virginia	X	X	
47	Washington	X	X	X
48	West Virginia	X	X	
49	Wisconsin	X	X	
50	Wyoming	X	X	X
51	District of Columbia	X	X	
52	Guam[1]			
53	Puerto Rico	X		
54	Virgin Islands			
	TOTAL	52	45	8

[1]See Appendix I.

Reported legislative items are initially classified into three separate categories: enacted, not enacted, and pending. A bit of fine tuning has been introduced into the not enacted category of former years. A separation has been made between rejected bills and pending bills. During the analysis many bills were still active--they were neither enacted nor rejected. Therefore, this third classification, "pending legislation," is used throughout the report. These three types are included in the report to provide a more inclusive indication of the full range of issues considered by state legislatures. Since some issues are debated for several years before they become law, introduced legislation may provide an indication of future legislative developments.

Like its predecessor, this report does not cover all the legislation that was introduced but not passed. The criterion used to determine whether a bill is included here is that the original legislative committee to which it was assigned must have passed it. Bills rejected by a full chamber or a committee of the nonoriginating house as well as bills vetoed by a governor are reported. Those bills that died in committee or failed when put to a committee vote are not reported. This approach increases the liklihood that those proposals receiving some degree of serious legislative attention are included in this report and matters of lesser interest are left out.

After categorization according to action taken on it, each proposal is analyzed to determine into which of the seven major areas and twenty-six subordinate subject categories it falls. This, too, adds a modification to last year's report by including a twenty-sixth subordinate subject category, "government liaison and public interpretation." The material presented in Tables 2 and 3 graphically shows the results of these procedures on a state-by-state basis while Tables 4a, 4b, 5a, and 5b portray the data in both a national and comparative context. Again, this procedure is similar to that used in each of the seven previous studies.[1]

Although the area and subject categories are intended to be mutually exclusive, any one proposal may address several different topic

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[1]Tables 4b and 5b are new to the 1982 report.

5A

TABLE 2

NUMBER OF LEGISLATIVE ITEMS ENACTED IN 1982

| | FINANCE | | | | | | | ADMINISTRATION | | | | | | |

TABLE 2

NUMBER OF LEGISLATIVE ITEMS ENACTED IN 1982

	PHYSICAL FACILITIES			INSTITUTIONAL GROWTH				PERSONNEL			
	Building Codes	Construction Procedures	Facility Regulations	New Institutions	Institutional Expansion	Name Changes	Restrictions on Growth	Employee Benefits	Employee Rights, Regulations and Responsibilities	Collective Bargaining	Faculty Workload
	A B C D	A B C D	A B C D	A B C D	A B C D	A B C D	A B C D	A B C D	A B C D	A B C D	A B C D
Alabama											
Alaska								1			
Arizona										1	
Arkansas											
California		1		1				2 1 3	4 1 3		
Colorado			2	1					1	1	
Connecticut											
Delaware					2			1 2 4	1 3		
Florida			1 2					2 2	3 3		
Georgia	1	1									
Hawaii								1			
Idaho											
Illinois											
Indiana											
Iowa								1			
Kansas								2	1		
Kentucky											
Louisiana									3		
Maine											
Maryland								2			
Massachusetts						1					
Michigan					1 1 1			1 3	1 2	2	
Minnesota								1	2		
Mississippi											
Missouri											
Montana					1				1		
Nebraska					1				1		
Nevada											
New Hampshire[2]										1	
New Jersey				2							
New Mexico								1 3	1 3		
New York								1	1		
North Carolina											
North Dakota									1		
Ohio											
Oklahoma				1 1		1 1		1 1	1 1 2		
Oregon											
Pennsylvania					1			2	1 1		
Rhode Island								1			
South Carolina											
South Dakota					1	1		3	1		
Tennessee											
Texas					1			1 1			
Utah											
Vermont											
Virginia					1			6	1 1 1	1	
Washington											
West Virginia											
Wisconsin											
Wyoming											
District of Columbia								1	1	1	
Guam											
Puerto Rico											
Virgin Islands											
Legislation	0 0 0 1	0 2 0 1	0 2 2 0	3 2 1 0	3 6 1 1	3 0 1 0		6 12 1 32	9 16 0 23	0 1 0 5	0 0 0 0
States	0 0 0 1	0 2 0 1	0 1 1 0	2 2 1 0	3 5 1 1	3 0 1 0		5 9 1 13	7 12 0 11	0 2 0 3	0 0 0 0

[1]Impact of Legislation by types of institutions
A - Community and Junior Colleges Only
B - Larger Segment of Postsecondary Education including Community and Junior Colleges
C - Segments of Postsecondary Education excluding Community and Junior Colleges
D - All State Governmental Bodies

5C

TABLE 2

NUMBER OF LEGISLATIVE ITEMS ENACTED IN 1982

	STUDENTS				ACADEMIC PROGRAMS		TOTALS	
	Rights and Responsibilities	Tuition and Fees	Student Aid	Curriculum	Accreditation and Certification	Number of Topics	Number of Pieces of Legislation
	A B C D	A B C D	A B C D	A B C D	A B C D		
Alabama						2	1
Alaska	1					6	3
Arizona	1		2			25	21
Arkansas						—	—
California	1 2 1	1	2 3	2 2		77	58
Colorado		1	1	1	1	9	4
Connecticut		1	2			34	20
Delaware			1			4	2
Florida			3 1	2	1	58	36
Georgia		1 1		4	2	47	38
Hawaii	2			1		26	25
Idaho	1	1	1			5	3
Illinois		1				6	3
Indiana						—	—
Iowa			1			14	13
Kansas			1		1	19	12
Kentucky						9	6
Louisiana	1		3			39	24
Maine			2			6	5
Maryland			1 2			12	7
Massachusetts	1					6	4
Michigan						1	1
Minnesota	1 1					20	11
Mississippi	1				3	20	14
Missouri						5	4
Montana						—	—
Nebraska						6	6
Nevada	1					4	1
New Hampshire[1]						1	1
New Jersey	1		3			10	10
New Mexico			1			8	6
New York	1 1	1	1			28	21
North Carolina						10	8
North Dakota						—	—
Ohio	1					5	4
Oklahoma	1	1	2 1	2		43	29
Oregon						2	2
Pennsylvania			1			16	11
Rhode Island						1	1
South Carolina	1					6	5
South Dakota						—	—
Tennessee	1		2			26	20
Texas						1	1
Utah	1		2		1	13	8
Vermont						—	—
Virginia	1	1	1			18	11
Washington		1	1	1 1		28	20
West Virginia		1				6	4
Wisconsin						10	4
Wyoming						1	1
District of Columbia						5	3
Guam							
Puerto Rico							
Virgin Islands							
Legislation	2 18 2 2	4 8 0 0	7 32 2 0	3 13 0 0	5 4 0 0	698	492
States	2 16 2 2	4 8 0 0	5 18 2 0	2 7 0 0	3 3 0 0		

[1]Impact of Legislation by types of Institutions

A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

TABLE 3

NUMBER OF LEGISLATIVE ITEMS NOT PASSED IN 1982

	FINANCE								ADMINISTRATION																			
	Appropriations		Capital Funds		Financial Procedures				Governing Bodies				Process of Policy Formation				Administrative Operations				Coordination				Studies and Surveys				Enabling Legislation				Government Liaison and Public Interpretation			
					A[1]	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
Alabama																																		
Alaska																																		
Arizona								4									1			2														
Arkansas																																		
California																																		
Colorado																																		
Connecticut																																		
Delaware					1		2	6	1	1								1																
Florida											1			1				1																
Georgia																		1																
Hawaii						2																												
Idaho																																		
Illinois	4							1	1																									
Indiana																																		
Iowa						3																												
Kansas																																		
Kentucky														1																				
Louisiana	1		1			1																												
Maine										1																								
Maryland																																		
Massachusetts																																		
Michigan																																		
Minnesota																																		
Mississippi					1												1																	
Missouri					1			1		1										1														
Montana																																		
Nebraska																																		
Nevada																																		
New Hampshire[1]																																		
New Jersey						2		2		1				1		1		1																
New Mexico	1																																	
New York	1				2	3		3				2	2	2		5		2		3					1				1					
North Carolina									1																									
North Dakota																																		
Ohio																																		
Oklahoma																																		
Oregon																																		
Pennsylvania																																		
Rhode Island																																		
South Carolina																																		
South Dakota																																		
Tennessee																																		
Texas						4		2		1				1				3				1				1								
Utah																																		
Vermont																																		
Virginia									2																									
Washington																																		
West Virginia									1				1				1	1																
Wisconsin					2																													
Wyoming																																		
District of Columbia										1				1																				
Guam																																		
Puerto Rico																																		
Virgin Islands																																		
Legislation	7		4		7	15	2	19	6	6	1	2	3	7	0	6	3	9	0	6	0	1	0	0	1	1	0	0	1	0	0	0		
States	4		2		5	6	1	7	5	6	1	1	2	6	0	2	3	6	0	3	0	1	0	0	1	1	0	0	1	0	0	0		

[1]Impact of Legislation by types of Institutions
A – Community and Junior Colleges Only
B – Larger Segment of Postsecondary Education including Community and Junior Colleges
C – Segments of Postsecondary Education excluding Community and Junior Colleges
D – All State Governmental Bodies

TABLE 3

NUMBER OF LEGISLATIVE ITEMS NOT PASSED IN 1982

	PHYSICAL FACILITIES												INSTITUTIONAL GROWTH												PERSONNEL															
	Building Codes				Construction Procedures				Facility Regulations				New Institutions				Institutional Expansion				Name Changes				Restrictions on Growth				Employee Benefits				Employee Rights Regulations and Responsibilities				Collective Bargaining				Faculty Workload			
	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
Alabama																																								
Alaska																																								
Arizona				1																												2								
Arkansas																																								
California																																								
Colorado																																								
Connecticut																																								
Delaware																																								
Florida																																8								
Georgia																														1										
Hawaii																																								
Idaho																																								
Illinois																																								
Indiana																																								
Iowa									1																															
Kansas																																								
Kentucky																																								
Louisiana																																								
Maine																																								
Maryland																																								
Massachusetts																																								
Michigan																																								
Minnesota																																								
Mississippi																																								
Missouri												1						1																1					1			
Montana																																								
Nebraska																																								
Nevada																																								
New Hampshire																																								
New Jersey																										1				2										
New Mexico																																								
New York								1																								2								
North Carolina																																								
North Dakota																																								
Ohio																																								
Oklahoma																																								
Oregon																																								
Pennsylvania																																								
Rhode Island																																								
South Carolina																																								
South Dakota																																								
Tennessee																																								
Texas																																								
Utah																										2		1					1								
Vermont																																								
Virginia																									2						1			1						
Washington																																								
West Virginia																																								
Wisconsin																												1				1								
Wyoming																																								
District of Columbia																																								
Guam																																								
Puerto Rico																																								
Virgin Islands																																								
Legislation	0	0	0	1	0	0	0	1	0	1	0	1	0	0	0	0	1	0	0	0	0	0	0	0	2	0	0	1	0	3	0	4	0	2	0	16	0	2	0	1	0	0	0	0
States	0	0	0	1	0	0	0	1	0	1	0	1	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	1	0	2	0	4	0	1	0	5	0	1	0	1	0	0	0	0

[1]Impact of Legislation by types of institutions: A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

6C

TABLE 3

NUMBER OF LEGISLATIVE ITEMS NOT PASSED IN 1982

	STUDENTS												ACADEMIC PROGRAMS								TOTALS	
	Rights and Responsibilities				Tuition and Fees				Student Aid				Curriculum				Accreditation and Certification				Number of Topics	Number of Pieces of Legislation
	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D		
Alabama																					—	—
Alaska																					—	—
Arizona													1								11	11
Arkansas																					—	—
California																					—	—
Colorado																					—	—
Connecticut		1								4			1					1			—	—
Delaware						1															28	18
Florida																					4	2
Georgia																					—	—
Hawaii		1																			3	2
Idaho																					—	—
Illinois					1					3			1								13	9
Indiana																					—	—
Iowa																					4	4
Kansas																					—	—
Kentucky										1							1				2	1
Louisiana																					4	4
Maine																					1	1
Maryland																					—	—
Massachusetts																					—	—
Michigan																					—	—
Minnesota																					—	—
Mississippi	1																				3	2
Missouri						1															9	6
Montana																					—	—
Nebraska																					—	—
Nevada																					—	—
New Hampshire[3]																					—	—
New Jersey		1																			12	9
New Mexico													1								6	5
New York		1		1						4			1					1			37	28
North Carolina																					1	1
North Dakota																					—	—
Ohio																					—	—
Oklahoma																					—	—
Oregon																					—	—
Pennsylvania																					—	—
Rhode Island																					—	—
South Carolina																					—	—
South Dakota																					—	—
Tennessee																					—	—
Texas		1								1					1						20	17
Utah																					—	—
Vermont																					—	—
Virginia																					6	3
Washington																					—	—
West Virginia	1					1															11	3
Wisconsin																					—	—
Wyoming																					—	—
District of Columbia													1								3	2
Guam																						
Puerto Rico																						
Virgin Islands																						
Legislation	2	5	0	1	1	3	0	0	4	9	0	0	2	4	0	1	2	1	0	0	178	128
States	2	5	0	1	1	3	0	0	1	4	0	0	2	4	0	1	2	1	0	0		

[1]Impact of Legislation by types of Institutions: A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

Table 4A

REVIEW OF 1982 LEGISLATION BY
SEVEN MAJOR CONTENT AREAS

Major Area	Legislation Enacted	Legislation Not Passed	Legislation Pending	Total Items	Percent of Total
Finance	228	20	34	282	32.2
Administration	234	26	28	288	32.9
Physical Facilities	8	--	4	12	1.4
Institutional Growth	21	2	1	24	2.7
Personnel	105	8	19	132	15.1
Students	76	11	14	101	11.5
Academic Programs	26	5	6	37	4.2
Total	698	72	106	876	100.0

Table 4B

REVIEW OF LEGISLATION BY SEVEN MAJOR AREAS BY NUMBER OF ITEMS AND PERCENT OF TOTAL, 1980-1982

Area	1980	Percent of Total	1981	Percent of Total	1982	Percent of Total
Finance	131	26.2	151	26.5	282	32.2
Administration	123	24.7	127	22.3	288	32.9
Physical Facilities	15	3.1	14	2.5	12	1.4
Institutional Growth	15	2.4	9	1.6	24	2.7
Personnel	95	19.0	96	16.9	132	15.1
Students	83	16.6	105	18.5	101	11.5
Academic Programs	40	8.0	66	11.6	37	4.2
Total	502	100.0	568	100.0	876	100.0

Table 5A

REVIEW OF 1982 LEGISLATION BY
TWENTY-SIX SUBJECT CATEGORIES

Subject Categories	Legislation Enacted	Legislation Not Passed	Legislation Pending	Total Items	Percent Total
Finance					
Appropriations	63	2	5	70	8.0
Capital Funds	12	1	3	16	1.8
Financial Procedures	153	17	26	196	22.4
Administration					
Governing Bodies	37	8	7	52	5.9
Process of Policy Formation	60	9	8	77	8.8
Administrative Operations	75	7	10	92	10.5
Coordination	12	1	---	13	1.5
Studies and Surveys	38	1	2	41	4.7
Enabling Legislation	---	---	1	1	0.1
Government Liaison and Public Interpretation	12	---	---	12	1.4
Institutional Growth					
New Institutions	4	---	---	4	0.5
Institutional Expansion	13	---	1	14	1.6
Name Changes	4	---	---	4	0.4
Restrictions on Growth	---	2	---	2	0.2
Physical Facilities					
Building Codes	1	---	1	2	0.2
Construction Procedures	3	---	1	4	0.4
Facility Regulations	4	---	2	6	0.7
Personnel					
Employee Benefits	52	5	2	59	6.7
Rights, Responsibilities and Regulations	47	2	15	64	7.3
Collective Bargaining	6	1	2	9	1.0
Faculty Workload	---	---	---	---	---
Students					
Student Rights and Responsibilities	25	3	5	33	4.0
Tuition and Fees	11	2	2	15	1.7
Student Aid	40	6	7	53	6.0
Academic Programs					
Curriculum	17	3	5	25	2.8
Accreditation and Certification	9	2	1	12	1.4
TOTALS	698	72	106	876	100.0

Table 5B

REVIEW OF LEGISLATION BY TWENTY-SIX SUBJECT CATEGORIES
BY PERCENTAGE OF TOTAL ITEMS

Category	1980	1981	1982
Finance	(n = 131)	(n = 151)	(n = 282)
Appropriations	45.8	47.0	24.8
Capital Funds	15.3	15.2	5.7
Financial Procedures	38.9	37.8	69.5
Administration	(n = 123)	(n = 127)	(n = 288)
Governing Bodies	23.6	17.3	18.1
Process of Policy Formation	30.1	29.1	26.7
Administrative Operations	29.3	35.5	31.9
Coordination	5.7	5.5	4.5
Studies and Surveys	9.7	8.7	14.2
Enabling Legislation	1.6	3.9	0.3
Government Liaison and Public Interpretation			4.2
Physical Facilities	(n = 15)	(n = 14)	(n = 12)
Building Codes	13.3	7.1	16.7
Construction Procedures	53.4	42.9	33.3
Facility Regulations	33.3	50.0	50.0
Institutional Growth	(n = 15)	(n = 9)	(n = 24)
New Institutions	14.3	12.5	16.7
Institutional Expansion	57.2	50.0	58.3
Name Changes	21.4	25.0	16.7
Restrictions on Growth	7.1	12.5	8.3
Personnel	(n = 95)	(n = 96)	(n = 132)
Employee Benefits	38.9	52.2	44.7
Employee Rights	51.6	40.0	48.5
Collective Bargaining	9.5	7.8	6.8
Faculty Workload	0.0	0.0	0.0
Students	(n = 83)	(n = 105)	(n = 101)
Student Rights and Responsibilities	26.5	31.3	32.7
Tuition and Fees	31.3	40.4	14.8
Student Aid	42.2	28.3	52.5
Academic Programs	(n = 40)	(n = 66)	(n = 37)
Curriculum	78.0	73.8	67.6
Accreditation and Certification	22.0	26.2	32.4

issues. Tables 2 and 3 therefore identify the number of topics covered by the reported bills. Since the number of legislative bills reported for 1982 is less than these topic totals, Tables 2 and 3 have two total columns to note the difference between the topics covered and the number of bills reported. Using this procedure, this report deals with a total of 620 bills (492 enacted and 128 not passed) which covered 876 topics: 698 through enacted legislation; 178 through items not passed, including 72 fully eliminated and 106 which were still pending.

The final phase in our legislative categorization involves classifying all bills, except those regarding appropriations and capital funds according to the type of institutions affected: (A) community and junior colleges only; (B) all postsecondary institutions including community and junior colleges; (C) postsecondary institutions, excluding community and junior colleges; and (D) state agencies in general. These four categories were utilized in the review for several reasons. Bills that affect only community and junior colleges were analyzed since they are this report's primary focus. However, community and junior colleges are integral to many state systems of postsecondary institutions. In those states, bills directed at postsecondary education in general also affect community and junior colleges. Bills concerned with postsecondary institutions other than community and junior colleges are also analyzed to provide some measure of legislative issues that affect community and junior colleges. Finally, legislation affecting state governmental agencies as a whole were reviewed since in many states community and junior colleges are viewed as state agencies and are affected by bills applicable to all state units. This final category was introduced in the 1979 report to illustrate that legislation affects community and junior colleges as both an element within both the broad environment of postsecondary education and the context of state government in general. The 1980, 1981, and 1982 reports, in this series, clearly demonstrate the tendency for legislation affecting state government or postsecondary education in general to have implications for the two-year college.

Once the reported legislation was categorized according to the several aforementioned classifications, bills in each of the twenty-six subject categories were analyzed. The concern here is to identify

prevalent issues in each category that appear to be receiving attention in several states and single issues reported by only one state but that appear to be of major concern and significance to community college educators. Our intent is to identify and report the most significant legislative developments to the field. The product of this analysis comprises the major portion of the text following this introduction.

Interpretations and Limitations of the Study

This report, like its predecessors, attempts to separate factual reporting from generalizations and wide-ranging interpretative comments regarding nationwide legislative activity. In the initial sections, descriptive reporting of legislative interest and level of activity exclusively is provided with nominal interpretation attempted. However, the concluding section focuses on questions, issues, and implications for two-year colleges regarding the meaning and importance of the major observations presented factually earlier in the document. Attention is also given to trends in legislative activity. The concluding commentary is considered reliable since the 100 percent response rate and the cooperative and wide-spread involvement of state officials in compiling this report allow for an exhaustive identification of actions pertinent to the field and, further, a broadly based perspective in judging their meaning.

The data included in this report are subject to some limitations; three of which seem especially pertinent. First, all relevant legislative activity occurring in 1982 may not have been reported to us. Some states have staff members specifically assigned to monitor direct and indirect legislative developments regarding community and junior colleges. States without such staff find the identification of all relevant legislation more difficult. Here, of course, the excellent cooperation of the state directors and their staffs is to be emphasized.

The second limitation, somewhat related to the first, centers around the nature of the information provided by states. We noted earlier our attempt to identify relevant legislation that was either enacted or passed by the committee to which it was originally assigned. We are dependent on accurate reporting of state legislation that was passed by the original committee but ultimately failed. Although

confident that this occurs, we have no absolute means to ensure that this is so. We may be occasionally receiving some bills that were introduced but did not pass out of their original committees. Or we may be receiving only the enacted legislation and not the appropriate proposed legislation.

The third limitation regards the continued ambiguity surrounding definition of institutions which serve community college functions in different states. The intent of this study is to include all types of colleges which serve a comparable mission regardless of their different institutional or organizational auspices. Problems of definition limit relevant legislation included for Georgia, Indiana, Maine, North Dakota, South Dakota, and Vermont.

Such state-by-state distinctions influence the information provided to us, and, in turn, affect conclusions and generalizations reached in the final report. These potential discrepancies may cause coverage of fewer legislative items than actually have been considered in the various state legislatures.

II

TOPICAL ANALYSES OF STATE LEGISLATION

As in former years, seven major topical areas provide the categories to be analyzed for this report: finance, administration, physical facilities, institutional growth, personnel, students, and academic programs. This section will briefly summarize and review legislation in each of the seven areas. Appendix A provides abstracts of each of the actual bills and laws which form the basis for discussion here. Persons who would like to review a given legislative act or proposal in its entirety or desire more thorough information are encouraged to contact the authors or the state director of community and junior colleges in the appropriate state. This may be especially helpful if a state legislature is considering a piece of legislation which has been enacted in another state.

Two explanatory notes will assist the reader in using this review of the legislation. First, whenever a bill is discussed it is accompanied by an identification number (e.g., 1-1) which also is an index number in Appendix A. This number signifies the state and bill numbers used to organize the legislative abstracts in the appendix; the initial number identifies the state while the second number identifies the item. When a legislation item is identified in the text, the given identification number facilitates reference to the abstract of its substance presented in Appendix A.

The second explanatory point pertains to the report's writing style. Since this study is based on enacted and proposed legislation, those common observations, trends, or themes in the legislation observed and discussed are developed from the legislation enacted, that not enacted or not passed and that pending. Each of these types of action in proposals or bills is discussed here. The use of different verb tenses distinguishes legislation enacted from that not passed and that pending. The simple present or past tense is used whenever the discussion focuses on <u>enacted</u> legislation. For instance, the sentence might state that a given bill law or enactment "authorizes" or "authorized" a particular entity to do something. The conditional

perfect tense will be used whenever proposed legislation is discussed. For example, the sentence might state that a particular bill "would have allowed" a given entity to do something. And, the future conditional tense is used with pending legislation. For instance, the sentence might state that a certain piece of legislation "would permit" specified activity. Differential employment of verb tenses should signal to the reader whether enacted, proposed, or pending legislation is under consideration at a given time.

Overview of the Results

Before reviewing each of the seven major legislative areas in depth, a general overview of the reported legislation is appropriate. The total number of legislative issues included in the 1982 report far surpass that of any former year. In 1982 there was a 54.2 percent increase in the number of items over that of 1981 and a 74.5 percent increase over that of 1980. Two reasons are offered for this dramatic increase. First, the limitations of the research (i.e., no way of verifying that we have indeed received all the appropriate legislation), prevent fulfilling the study's objectives with full accruacy. What may appear as a decrease in legislative activity may be no more than incomplete compliance from the field in sending the requested basic legislation. This may account for the decline in 1980-81. On the other hand, however, the total trend of such activity has been increasing since this annual report was resumed in 1975, so fluctuations in completeness of reporting over an eight-year time span lose their importance.

A comparison of the legislation's distribution among the seven major content areas and twenty-six subject categories indicates some differences among the 1980, 1981, 1982 data. Increased legislative attention to the areas of finance, administration, and institutional growth are noted over 1981 as well as a decrease in academic procedures, students, personnel and physical facilities. Of particular interest here is the clear reversal of a trend begun in 1978 and sustained through 1981 where financial issues surpassed administrative matters as the major issue addressed by state legislatures. In 1982, the administra-

tion-related legislation has surged ahead and regained its priority as the number one category of legislative activity. Although finance has been surpassed by administration-related issues as the most predominate area of activity, a noteworthy increase in the number of such finance-related issues was observed in 1982. The number of finance-related items practically doubled. Another significant change in the distribution of legislation among the seven major areas is the dramatic drop in the absolute number as well as the percent-to-total of bills relating to academic programs. In the wake of renewed interest and vigor in curriculum expansion spurred by the advent of the era of high technology on the basis of earlier year reports, more activity in this area was expected.

The topical analysis provided below indicates the degree and type of legislative attention to the given areas.

Area 1: Finance

Administrators, faculty, governmental leaders, and others concerned with community, junior, and two-year technical colleges should realize that 1982 state legislation reflects a continued legislative focus on finance. With few exceptions state legislatures are considering and evaluating public activities that warrant funding and the mechanisms to employ. As in the past, community colleges are affected in two principal ways. The first is through legislative attention to general state revenues and expenditures; the second is through legislative attention to financing community colleges in particular and postsecondary education in general.

For 1975-1977, the annual studies of state legislation affecting community and junior colleges indicated primary legislative attention given toward administrative issues with financial legislation a close second. However, from 1978-1981, this changed with more financial than administrative bills being reported. In 1982, the trend set in 1978 was reversed and administrative issues surpassed financial ones as the national legislative priority. The 1982 report reveals a dramatic jump in the number of finance related bills from 151 in 1981 to 282 in 1982 and a corresponding rise in the percent-to-total from 26.5 in 1981 to

32.2 in 1982. Both percent-to-total and the number of issues have increased. The same phenomena occurred to an even greater degree, however, with administrative issues, thus finance is ranked a very close second in 1982 legislative priority.

The 282 financial bills are distributed among three subject categories: appropriations for operation, capital funds, and financial procedures. This distinction allows for more systematic analysis of the intent of finance related legislation. The 1982 findings differ greatly from those of 1981. Major shifts have occurred within the three categories. Both appropriation and capital funds bills have decreased significantly while financial procedure bills have more than tripled. A summary of the pertinent bills follows.

Appropriations for Operations

Bills providing appropriations for operations is the second largest category of finance-related legislation. The number of bills received (70) was as expected since each state has one or more appropriation acts to support community colleges. This category is subdivided into two groups: bills exclusively providing general operating expenses and bills intended to appropriate revenue for special projects. The majority of the legislation considered here falls into the first category, general state appropriations for community and junior colleges or appropriations to the institutions as part of an appropriation to a state's governing board. Thirty-four states reported their appropriation totals[1] for 1982-83. Table 6 lists these states and provides a comparison with appropriation data reported for 1978-79, 1979-80, 1980-81, 1981-82, and 1982-83.

As have been provided in previous reports, some explanatory comments regarding Table 6 are in order. Comparison of data in Table 6 with those in previous state legislative reports might reveal that some figures occasionally will differ in a given report for a particular year than for the same year in a complete report. There are two possible reasons for this. The first is that the difficulty of establishing and

[1] In some cases, only partial appropriations were submitted.

Table 6

GENERAL APPROPRIATIONS FOR COMMUNITY AND JUNIOR COLLEGES 1978-79, 1979-80, 1980-81, 1981-82, 1982-83

	1978-1979		1979-1980		1980-1981		1981-1982		1982-1983	
State	Appropriation	Percent Change	Appropriation	Percent Change	Appropriation	Percent Change	Appropriation	Percent Change	Appropriation	Percent Change
Alabama	$ 40,000,859	21.0	$ 39,550,000	-1.1	44,745,763	11.6	81,896,798[1]	45.4	---	---
Alaska	---	---	---	---	---	---	33,172,359	---	45,618,900	37.5
Arizona*	38,352,500	-3.0	38,152,600	-0.5	39,839,500	4.2	38,669,500	-2.9	42,362,100	9.5
Arkansas	11,923,939	12.0	14,661,906	23.0	---	---	17,599,189	---	18,941,196	7.6
California	---	---	---	---	1,038,930,930	---	---	---	---	---
Colorado	45,670,628	---	44,320,039	-3.0	53,440,284	17.0	---	---	---	---
Connecticut*	27,163,819	11.5	27,085,800	-0.3	28,172,679	3.9	33,022,982	14.6	43,962,427[2]	33.1
Delaware	14,736,500	39.1	15,800,000	7.2	14,500,000	-8.2	---	---	21,072,900	---
District of Columbia	---	---	---	---	---	---	---	---	---	---
Florida*	192,078,563	7.1	220,852,341	9.4	242,143,210	9.4	278,099,374	12.8	296,336,540	6.6
Georgia	---	---	---	---	---	---	528,484,495[3]	---	---	---
Guam	---	---	---	---	---	---	---	---	---	---
Hawaii	20,845,098	-2.7	21,817,247	4.7	---	---	15,340,000	---	35,240,925[4]	129.7
Idaho*	3,464,800	9.1	3,464,800	0.0	4,157,700	16.6	3,922,400	-5.6	4,300,000	9.6
Illinois*	119,772,300	4.0	128,319,000	7.1	168,300,000	---	168,307,950	0.0	---	---
Indiana	5,505,932	15.9	6,423,343	16.7	44,538,875	---	---	---	---	---
Iowa*	37,300,000	14.0	42,168,500	13.1	45,926,991	---	48,141,500	4.8	475,000[5]	---
Kansas	16,200,000	---	---	---	---	---	---	---	---	---
Kentucky	---	---	---	---	18,865,707	---	---	---	---	---
Louisiana	---	---	---	---	16,713,673	---	---	---	---	---
Maine	---	---	---	---	---	---	---	---	36,077,662	---
Maryland*	47,765,233	3.5	45,333,876	-5.1	49,579,972	8.6	58,456,817	17.9	60,854,484	4.1
Massachusetts	52,939,703	16.7	56,257,686	6.3	61,669,787	8.7	---	---	76,700,000	---
Michigan	122,000,000	10.7	134,646,600	10.4	---	---	122,417,000	---	137,000,000[6]	11.9
Minnesota	30,962,847	5.5	36,150,000	16.8	36,673,186	1.4	---	---	---	---
Mississippi*	29,000,000	17.4	31,317,000	8.0	35,402,017	11.5	37,396,605	5.6	40,418,789	8.1
Missouri	28,366,378	2.8	28,366,378	0.0	33,264,505	14.7	---	---	37,852,921	---
Montana	---	---	1,940,090	---	---	---	---	---	---	---
Nebraska*	15,056,000	---	16,078,654	6.8	17,652,400	8.9	19,280,575	9.2	21,114,939	9.5
Nevada	7,469,822	10.3	8,980,220	20.2	12,204,615	26.4	---	---	---	---
New Hampshire	---	---	6,869,500	---	10,463,681	52.3	---	---	12,687,415	---
New Jersey	47,950,000	0.0	---	---	---	---	---	---	---	---
New Mexico*	7,043,400	13.4	8,465,700	20.2	11,525,300	26.6	13,848,600	16.7	15,873,400	14.6
New York	104,984,000	11.1	---	---	110,628,000	---	---	---	19,320,000[7]	---
North Carolina*	139,335,006	28.8	142,117,715	2.0	144,859,976	1.7	175,420,787	21.9	200,896,476	15.0
North Dakota	---	---	4,727,113	30.0	4,727,113	0.0	---	---	117,400,000[8]	---
Ohio	39,257,327	11.6	45,646,022	16.3	49,802,513	8.3	---	---	133,190,500[9]	---
Oklahoma	32,797,195	18.1	---	---	47,295,061	---	57,422,524	21.4	339,885,700	---
Oregon	46,503,940	12.8	47,076,107	1.2	---	---	3,000,000[10]	---	51,854,836	---

Table 6 (Continued)

GENERAL APPROPRIATIONS FOR COMMUNITY AND JUNIOR COLLEGES 1978-79, 1979-80, 1980-81, 1981-82, 1982-83

State	1978-1979 Appropriation	1978-1979 Percent Change	1979-1980 Appropriation	1979-1980 Percent Change	1980-1981 Appropriation	1980-1981 Percent Change	1981-1982 Appropriation	1981-1982 Percent Change	1982-1983 Appropriation	1982-1983 Percent Change
Pennsylvania*	47,988,000	2.9	49,206,000	2.5	52,687,714	6.6	58,047,000	9.2	64,066,000	10.1(11)
Puerto Rico	---	---	---	---	23,113,705	---	---	---	---	---
Rhode Island	14,189,983	5.4	15,007,000	5.8	---	---	---	---	18,624,636(12)	---
South Carolina	41,797,172	22.6	46,283,355	10.7	51,472,412	10.1	---	---	67,921,786	---
South Dakota	---	---	---	---	---	---	---	---	---	---
Tennessee*	27,577,400	14.0	29,713,000	7.7	32,587,500	8.8	32,182,900	-1.2	35,294,400	9.7
Texas	220,358,424	7.1	239,630,022	8.8	---	---	335,051,551	---	396,644,488	18.0
Utah*	24,834,700	N.C.	27,903,500	12.4	28,833,800	3.2	24,599,700	-14.6	36,216,800	47.2
Vermont	528,500	---	---	---	545,360	---	---	---	---	---
Virginia*	86,776,910	---	89,645,730	3.3	98,137,875	8.6	103,898,530	6.0	170,976,620	64.6
Virgin Islands	---	---	---	---	---	---	---	---	---	---
Washington	---	---	---	---	---	---	202,249,044	---	---	---
West Virginia	---	---	---	---	8,207,160	---	---	---	---	---
Wisconsin	51,219,638	14.6	53,717,700	4.9	52,019,300	3.1	---	---	83,429,700	---
Wyoming	28,000,000	38.0	---	---	30,768,398	---	42,016,180	26.7	57,877,457	37.8
Average Increase (All States)	---	12.4	---	8.2	---	8.6	---	11.9	---	13.0
Average Increase for States with Data For Last 4 years	---	12.4	---	10.8	---	6.8	---	6.0	---	13.0
Average Increase for States with Data for Last 3 years	---	13.3	---	11.1	---	6.9	---	6.0	---	13.0

*States supplying appropriation data for each of the last five years.
(1)Includes appropriations to individual institutions not provided in the 1980-1981 data.
(2)State Technical Colleges $9,993,021; State Regional Community Colleges $33,969,406.
(3)Includes total appropriation to the Board of Regents.
(4)Includes General and Special Funds.
(5)Supplemental appropriations only.
(6)Includes Job Retraining Funds.
(7)Additional Funds for basic and supplemental aid for community colleges.
(8)Community Colleges, $53,558,800; Technical colleges, $48,252,400; University branches, $31,379,300.
(9)For all higher education under state regents.
(10)Types of two-year colleges not fully developed
(11)Capital and Operating Expenses.
(12)General and Special Funds for Technical Colleges.

maintaining a clear-cut definition of what is to be reported sometimes causes us to receive an incorrect appropriation figure; the second is that we occasionally identify the wrong appropriation figure; the second is revision of previously provided comprehensive reports on state appropriations supplied by our state contact. When this occurs in the published report (despite efforts to expose and correct errors in drafts distributed before final publication) the state respondent informs us of the error and the following year's legislative survey reports the appropriation correction. Only a few corrections have been made, yet they should be noted.

Several states' appropriation figures warrant preliminary comment. The Connecticut appropriation includes state technical colleges not found in the 1981-82 figures and the 33.1 percent increase can be misleading. Hawaii's figures include general and specific funds. The increment of 129.7 percent in 1982-83 reflects the ambiguity surrounding prior as well as current data. Job retraining funds are included in Michigan's appropriation bill. New York's appropriations are partial and supplementary aid for community colleges. Ohio's funds include community colleges, technical colleges, and university branches. The Oklahoma appropriations are for all of higher education under the state's regents (therefore, percent change was not calculated).

Table 6 indicates that for 1982-83 most state legislatures still provided increased appropriations in absolute revenue to community, junior, and two-year technical colleges. However, the degree of support is uneven. Alaska, Connecticut, Hawaii, Utah, Virginia, and Wyoming reported increases over 20 percent; but, the Connecticut and Hawaii increases can be attributed to the reason cited in the paragraph above. Five states (Michigan, New Mexico, North Carolina, Pennsylvania, and Texas) reported growths in appropriations between 10 and 20 percent. Arizona, Arkansas, Florida, Idaho, Maryland, Mississippi, Nebraska, and Tennessee cited growth rates between 1 and 10 percent. There were no reported declines in appropriations.

The key information given in Table 6 provides thorough comparisons of the appropriation growth rates over the last six years. Table 6 indicates a three-year trend in which appropriation growth rates have fallen below the 12 to 14 percent increases cited in 1977-1978 and

1978-1979. The average 1981-1982 appropriation growth rate was 11.9 percent, which was 3.3 points higher than that of 1980-1981. However, it falls below the 12.4 percent for 1978-1979 and 14.8 percent for 1977-1978. In 1982-1983, the increases reach a new high of 13.0 percent. These figures are based on gross means; the appropriation increases for all states reporting figures were averaged. Problems may arise because not all of the same states report figures for each of the years under consideration. To control for this, at least to some degree, those states having provided information for each of the previous three and four years, respectively, are considered separately. For 1982-83 these states are the same ones who have provided the appropriation data for the last five years. Fifteen states met these criteria. The value calculated this way for each of the three and four years was 13.0 in 1982-1983, the same as the 1982-83 average increase.

As noted above, general appropriation bills were not exclusively reported in this subject category. Other appropriation related bills deal with special programs or projects. Twelve states reported such proposals or enactments. California (5-22) appropriates $250,000 to aid welfare recipients with higher education. In Connecticut (7-20) $20,000 is earmarked for use by the South Central Community College Day Care Center. Hawaii (11-15) allocates 13.15 FTE new positions to meet higher education needs. In Iowa (15-7) $275,000 has been authorized for training employees of companies locating or expanding within Iowa. Funding changes concerning increases in aid rates legislated in 1981 have been extended in Maryland (20-3). Michigan creates a job training and retraining investment fund aimed at economic development (22-1) and appropriates $137,000,000. Three bills were found in New Mexico. The first appropriates $1,000,000 for the state's initial work study program. A second bill appropriates $10,000 to conduct a comprehensive study of the structure of public education within the state (31-6) and the third bill would have provided $6,000 to develop a program for industrial training assistance (31-8). New York restores $630,000 to the Department of Education providing funds for capitalation bonus payments (32-5). New York also appropriates $2,000,000 to the Department of Education for additional funds for dental capitation

payments (32-6). Two more bills appeared in North Carolina. One appropriates $119,974 for high cost specialized programs (33-3) and the other $50,000 for certain activities (33-5). Three bills were found in Oklahoma. Some funds were provided which make extension training for firefighters possible (36-6). Another bill (36-18) appropriates $212,000 for Juvenile Personnel Training Programs, and the last one appropriates $275,000 for financial aid for members of the National Guard (36-19). In Washington (47-17), $224,000 was appropriated to carry out the displaced homemaker program. In Louisiana campus improvements at LSU--Alexandria received $250,000 (18-24). Two special bills were submitted by Illinois. An additional $250,000 would have been appropriated for shortfalls in the National Guard Scholarship Program (13-6), and $6,000 would have been provided to develop a program for industrial training assistance (13-7).

Capital Funds

The number of capital funds-related bills dropped from nineteen received in 1981 to sixteen in 1982. What is more significant, however, is the percent-to-total which has fallen from 15.2 percent in 1981 to 5.7 percent in 1982. Ten states had capital funds legislation and a discussion of these bills follows.

Alaska appropriates $1,252,000 to community colleges for capital expenditures (2-1) and allocates $125,000 to Mat-Su Community College for capital expenditures (2-2). In Louisiana (18-13), $231.5 million is appropriated for capital improvements at public colleges and universities. Maryland provides for a statewide debt in the aggregate amount of $2,000,000 for financing of the state share of the design and construction of community college facilities (20-5). In Minnesota, a capital bonding bill of $7.2 million has been allocated for various projects (23-2). New Mexico grants $1,125,000 for a new community college vocational building (31-3), appropriates $2,250,000 for a community college instructional center (31-4), and allocates $1,600,000 for a new community college gymnasium and theatre equipment (31-5). Two pieces of legislation were submitted from North Carolina. In the first, $125,000 was appropriated to Brunswick Technical College for Capital Construction (33-5), and the second awarded $100,000 to Coastal Carolina

Community College to provide equipment for the James S. Mellon Vocational Skills Center (33-6). In Ohio (35-2), $625,000 was appropriated to higher education facilities for capital expenditures. Virginia allocates $5,138,200 for capital projects (46-5). The Governor of Louisiana vetoed $3 million for the planning and construction of a health and physical education building at Delgado Community College (18-22). Three capital funds bills came from New Mexico. In the first, $805,000 would have been appropriated for an outdoor lab for an oil field training center (31-7); and, the second would have provided $1,900,000 for a library and student center at San Juan (31-9); lastly, the third, would have appropriated $1,600,000 for a fine arts building at Northern New Mexico Community College (31-10).

Financial Procedures

An unprecedented increase in the number of financial procedure bills was seen in 1982. Of the twenty-six categories within the seven major areas of classification, financial procedures received the greatest amount of bills. Compared to the mere 55 such bills in 1981, the 196 received in 1982 provided an increase of 350 percent. The shift in the percent of the financial procedure bills within the area of finance is also noteworthy. In 1981, appropriations bills outnumbered the financial procedural ones, while in 1982 the financial procedure bills outnumbered the appropriation bills almost 3 to 1. The change in the percent-of-total is even more significant. In 1981 the financial procedure bills were 37.8 percent-of-total, and in 1982 the percent-of-total climbed to 69.5 percent.

Legislative action affects community college financial procedures in a great many ways. The locus of authority over financial decision making, fundamental tax policies, and the budgetary process are all affected potentially. A classification scheme was applied to clarify legislative activity in this area. Each bill was classified in one of eight subcategories listed below:[1]

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[1]See Appendix C for Financial Legislation Affecting Community, Junior and Two-Year Technical Colleges -- Type of Impact, 1982.

1. Legislation that addresses tax policies.
2. Legislation resulting in greater institutional flexibility.
3. Legislation resulting in less institutional flexibility but not more state control.
4. Legislation resulting in greater state control over the expenditure of funds.
5. Legislation resulting in a greater amount of funds available to institutions.
6. Legislation resulting in a decrease in available funds.
7. Legislation affecting auditing and/or accounting procedures.
8. Legislation that leads only to procedural changes in the fiscal or budgetary process.

Table 7 indicates the number of bills falling into each of these subcategories in 1982, and Table 8 compares data over the last five years.

Since there are a comparable number of bills dealing with financial procedures in 1981 and 1982, some comparisons are suggested. Procedural issues have been and continue to be the principal focus of legislative attention. More institutional flexibility and more funds for institutions have taken second and third places respectively. There was a dramatic increase in the degree of legislation giving more institutional flexibility, increasing the states control over financial matters, more funds for institutions and procedural matters. Smaller increases were seen in tax structures and policies, less institutional flexibility, more state control and auditing. Each of the seven subcategories are discussed in detail below.

Tax Structure and Policies

The fifteen bills included in this subcategory were submitted by nine states. The issues addressed were diversified; however, one was represented in four states. The most repeated theme was that of tax exemption. Political subdivisions in Kansas are exempt from the Motor Vehicle Tax (16-9); Louisiana relieves colleges and universities from local amusement taxes (18-17); Tennessee extends the tax exemption status of colleges and universities even though dormitories are used during nonstudent periods for tourists (42-1); Tennessee also would have provided for delinquent debt collection through offsetting tax refunds

Table 7

FINANCIAL LEGISLATION AFFECTING COMMUNITY, JUNIOR AND TECHNICAL TWO-YEAR COLLEGES: TYPE OF IMPACT, 1982

	Legislation Enacted	% Total (N = 149)	Legislation Not Enacted	% Total (N = 43)	Total	% Total (N = 192)
Tax Structure and Policies	12	8.1	3	7.0	15	7.8
More Institutional Flexibility	37	24.8	6	14.0	43	22.4
Less Institutional Flexibility	6	4.0	4	9.3	10	5.2
More State Control	15	10.1	1	2.3	16	8.3
More Funds for Institutions	18	12.1	5	11.6	23	12.0
Less Funds	0	0.0	0	0.0	0	0.0
Auditing/ Accounting	7	4.7	0	0.0	7	3.7
Procedural	54	36.2	24	55.8	78	40.6
TOTAL	149	100.0	43	100.0	192	100.0

Table 8

FINANCIAL LEGISLATION AFFECTING COMMUNITY, JUNIOR, AND TECHNICAL TWO-YEAR COLLEGES: TYPE OF IMPACT, 1978, 1979, 1980, 1981, 1982

	Legislation Enacted					Legislation Not Enacted					Total Items				
	1978	1979	1980	1981	1982	1978	1979	1980	1981	1982	1978	1979	1980	1981	1982
Tax Structure and Policies	--	23	6	11	12	--	9	2	0	3	--	32	8	11	15
More Flexibility	18	14	4	6	37	2	7	2	0	6	20	21	6	6	43
Less Flexibility	9	5	3	1	6	5	3	2	1	4	14	8	5	2	10
More State Control	7	10	5	8	15	3	11	7	1	1	10	21	6	9	16
More Funds	8	3	3	6	18	5	5	1	0	5	13	8	4	6	23
Less Funds	7	2	1	1	0	7	2	0	0	0	14	4	1	1	0
Auditing	2	6	1	1	7	2	0	1	0	0	4	6	2	1	7
Procedural	18	25	17	19	54	6	4	2	5	24	24	29	19	24	78
TOTAL	69	88	40	53	149	30	41	11	7	43	99	129	51	60	192

(42-5); and Iowa (15-16) would have exempted merged educational institutions from taxes during amusement events, fairs, and athletic events. The remaining bills covered varied areas of interest. Five bills were submitted by California. The first one includes Timber Yield Tax revenues in calculating community college apportionments (5-20), and the second bill changes the allocation of the Timber Reserve Fund Tax (5-23). Another bill allows larger tax deductions for donated technical property or research funds to schools (5-35); the fourth bill requires community colleges to report to the State Controller property taxes collected in excess of the amount prescribed in Proposition 13 (5-37); and the last bill allows community colleges to raise special taxes with a two-thirds vote of the electorate, limits the purposes for raising such taxes, and provides that state revenue will not be reduced as a result of revenues generated by special taxes (5-55). Florida had two bills. The first adds a fifth cent to sales tax and deals with the distribution of additional funds (9-21); and the second, amends laws dealing with the assessment, collection, and expending of "ad valorem" taxes (9-26). Mississippi has authorized a referendum to amend the state constitution to provide for the classification of property for appraisal/assessment purposes and fixes the assessment ratio of types of classification (24-7). Hawaii would have provided for delinquent debt collection through the offsetting of tax refunds (11-27), and Illinois would have attempted to ensure that property is fairly taxed (13-11).

More Institutional Flexibility

This was the second largest subcategory and represented twenty-one states. The topics addressed were numerous; yet several were common to multiple states. Four such themes deserve special mention: bonds, tuition waivers, property regulations, and leasing. Each of these four themes will be discussed in detail below followed by mention of other pertinent bills concerning more institutional flexibility. Four states submitted legislation concerning bonds. In Arizona, community college boards of directors are authorized to set the rate on revenue bonds as opposed to the rates being set statutorily (3-2); Connecticut (7-19) authorizes self-liquidating bonds for capital improvements; boards are permitted in Georgia (10-33) to require performance and payment bonds

for any public work contract; and Kansas authorizes programs to issue tax exempt bonds for purposes of issuing student and parent loans (16-6). Property matters were addressed in three states. Colorado authorizes the regents to convey property at Auraria Higher Education Center by sale or exchange (6-2); in Florida (9-5), the sale of land is authorized at Florida Atlantic University West Palm Beach Center; and Iowa would have permitted additional land purchases in excess of acre limitations (15-15). Two states provided bills concerned with tuition. Arizona authorizes tuition waivers (3-8) as well as Connecticut (7-15). Two states also provided legislation concerning leasing. In Connecticut (7-8), boards are authorized to lease property under their control. Iowa submitted two bills addressing leasing. In the first one, boards are given permission to construct and lease facilities with a purchase option (15-6) and are permitted certain other lease arrangements without State approval (15-12). Governing boards are permitted to approve certain compensation plans in Arizona (3-5). California permits schools to become unemployment disability insured employers (5-15) and allows community college districts to join together to provide for the payment of health and welfare benefits (5-46). Boards of Trustees are permitted more flexibility for the purchase of library equipment in Connecticut (7-1). In Iowa, board secretaries are authorized to pay certain expenditures in advance of specific approval (15-1) and permits boards to appoint one person to serve as both secretary and treasurer for merged areas (15-11). Certain medical claims are permitted to be paid in advance of approval in Kansas (16-5), and community colleges are permitted to act as self-insurers for providing health care services (16-12). In Kentucky, more fund regulation options are given to governing boards (17-5). Louisiana presented three bills of interest. In the first one, higher education is relieved of unwarrented paperwork with small professional service contracts (18-5a). In the second bill, the sale of livestock is authorized by public colleges and universities (18-12), and lastly, public funds are also permitted to be expended by higher education for advertising (18-12). In Maine, higher education institutions are permitted to form student loan corporations (19-3). Minnesota (23-7) authorizes institutions to develop programs permitting

the attendance of secondary students. Both public and private colleges are permitted to establish deferred payment plans for students and parents in Pennsylvania (38-12). Iowa would have permitted area schools to transfer funds among accounts (15-14). Lastly, New York would increase the amount on State contracts which require state approval (32-24).

Less Institutional Flexibility

Six states contributed ten bills which comprise the less institutional flexibility, financial procedure legislation. Arizona provided two of these bills. In the first one, expenditure limitations are prescribed (3-13) and in the second, procurement from nongovernmental entities on account is governed (3-19). California, too, supplied two pieces of legislation. Certain deduction authority is deleted (5-28), and service fees deducted from the salaries of certified employees are required (5-51). Louisiana imposes penalties for the failure to pay small business contractual obligations within thirty days (18-14) and mandates competitive sealed bidding or negotiations (46-1). Arizona would have required voter approval for bonds secured prior to bidding (3-25). Utah submitted three bills. One would have severely restricted the activities of higher education institutions in competition with private enterprise (44-9); a second bill would have required state approval for leasing or purchasing building space (44-10); and the third would have required higher education to participate in group contract purchasing (44-11).

More State Control

Eleven states contributed sixteen bills to this subcategory. One theme was recurrent--collecting defaulted loans. Three states provided for this. In Hawaii, the retention of State Income Tax refunds from those owing a debt to the State is permitted (11-17); New York also provides for the collection of past due support and defaulted guaranteed student loans from the overpayment of taxes due (32-13); and Utah authorizes a student loan collection by withholding income tax refunds (44-2). The other topics are varied, and, some highlights are discussed below. Arizona requires the Auditor General to prescribe a uniform

system of accounting for use by all community college districts (3-10). Connecticut provides that the Secretary of the Office of Policy and Management set guidelines for unit costs for fuels and energy (7-2). Mississippi has created the Board for Vocational and Technical Education (24-13). New York allows the court to assess reasonable mandatory attorney fees against a state agency incurred by a person who has prevailed in a court proceeding (32-2). Washington provided two bills of interest. In the first one, the general administration authority was confirmed to contract for Public Works on behalf of community colleges (47-2) and in the second, the role of the general administration was strengthened in acquiring real property for community colleges. Here, too, agencies were required to pay for the services of the General Administration Division of Real Estate (47-15).

More Funds

Fifteen states submitted twenty-three bills in this subcategory. Although the issues addressed were varied, the predominate theme was loan authorities. Five states provided legislation in this area. Connecticut establishes an independent loan authority to raise loan capital through the sale of tax-exempt bonds (7-6). Delaware (8-2), Maryland (20-7), and Pennsylvania (38-4) have created loan authorities for students and their families. Florida permits the use of funds within the Student Financial Aid Trust Fund for student financial aid programs (9-24). Two additional bills were submitted by California. In the first, a loan of $500,000 was authorized to the Barstow Community College District (5-40), and in the second, the funds for planning grants and projects designed to increase the accessibility of postsecondary opportunities to low income high school and community college students were apportioned (5-45). A second Connecticut bill requires out-of-state students to pay an additional 25 percent surcharge with the funds being used to offset the state's cost to remain a member of the New England Higher Education Compact (7-10). Idaho distributes the state liquor funds which create a junior college account (12-2), and state aid for community colleges has been increased for two years in Kansas (16-1). Missouri submitted two pieces of legislation. The first authorizes the issuance of state bonds of $6,000,000 for providing funds

for capital improvements. In the second one, a Special Sinking Reserve Fund was created for retiring outstanding building bond obligations (36-25). Pennsylvania, too, had two other bills. The reimbursement for each FTE student enrolled in two-year or less than two-year programs increased (38-1, 38-8). South Carolina authorizes additional bonds for higher education capital improvements (40-2). Utah also authorizes student fee bonds to finance expansion of student services at Utah Technical College at Provo (44-7). New York would have directed that 25 percent of the New York State Energy Research and Development Authority's funds be expended on contracts with colleges and universities (32-40).

Less Funds

No bills were submitted in this subcategory.

Auditing

Each of seven states submitted one audit-related bill. Arizona prescribes that the Auditor General's Office shall audit community college district accounts and transactions (3-3). County auditors are required to notify the Chancellor's Office on the amount each district is to receive from the unused roll property tax in California (5-41). Iowa authorizes the Board to designate an individual to certify audits (15-2), and Kansas eliminates community colleges from the requirement of fixed asset accounting (16-2). Pennsylvania provides that the procedure for an annual audit of each community college is to be conducted by an independent CPA (38-11).

Procedural

For the last three years, procedure-related bills have been the most numerous within the financial procedure subcategories. In 1982, the number of items tripled with seventy-eight bills submitted by twenty-seven states. The issues presented here are wide-ranged. Many of these have been cross-classified with other categories within this report and are discussed elsewhere. Therefore, a representative sample of bills not mentioned in other sections of this text is discussed below.

Arizona exempts skill centers operated by community college districts from the private enterprise law (3-9). Minor changes are made in California (5-9) in pay-back procedures of funds advanced to community colleges in emergency situations. Connecticut requires that each budget agency transmit a copy of the agency's monthly financial statement to the Office of Fiscal Analysis (7-16). Florida establishes procedures for wire transfer of funds and the exclusion of property from inventory requirements (9-10). Florida also amends statutes concerned with parimutual wagering for certain categories of beneficiaries including community colleges (9-12). The procedures in the consideration of local government budgets of the state appeal board are revised in Iowa (15-9). In two bills, Louisiana updates procurement procedures for telecommunications (18-4a, 18-4b). Two additional Louisiana bills stipulate various changes in the deadlines for financial reports (18-11) and permit colleges and universities to retain the current ninety-day period for closing their books (18-15). Maryland raises the dollar threshold for application of the statutory bidding process form $5,000 to $7,500 (20-6). The maximum interest rate is raised to 10 percent on certain junior college notes and bonds in Mississippi (24-2). In Tennessee, procedures for competitive construction bids are provided (42-4). Arizona would have changed the definition of bond project to include classrooms (3-30). Delaware would provide for the granting of monetary awards for suggestions that result in the financial or economic benefit to the state (8-17). Hawaii would reduce administrative costs through simplified small purchase procedures (11-26), and Louisiana would have changed the formula for state aid to independent colleges and universities (18-23). Utah would have called for a study of group contract purchasing by higher education (44-19) and changed the formula under which mineral lease funds would be allocated to higher education (44-21).

Area 2: Administration

This year, state legislation affecting community, junior, and two-year technical college administration was the area receiving the greatest attention (32.9 percent-of-total). A total of 288 bills with

legislative impact on this function was reported in 1981 (a 130 percent increase over 1981). Following the classification scheme employed in previous reports, the bills were categorized in six areas (governing bodies, the process of policy formation, administrative operations, coordination, studies and surveys, and enabling legislation) and, a seventh area was added--government liaison and public interpretation.

Before treating the seven administration subject categories in detail, some preliminary comments are in order. Almost one-third of the legislation reviewed (32.9 percent) fell into the administrative-related category. As in last year's report, bills in the subcategories of administrative operations and the process of policy formation were most frequently reported, and those of coordination and enabling legislation were the least frequently reported. Special attention is called to the newly created category of government liaison and public interpretation which included thirteen bills. A review of the legislation appearing in each category will more clearly illustrate the meaning of the administration-related legislation.

Governing Bodies

The percent-to-total of the governing bodies-related legislation remained close to that in 1981 showing an increment of only .8 percent-to-total; however, the number of issues received in 1982 more than doubled. Several themes dominated the diversified bills including common areas such as board increases, replacements, and regulations. Many of these bills not mentioned in other areas of this report are discussed below. Alabama provides a department of postsecondary education (1-1), and Arizona enlarges the State Board of Education (3-21). Various board composition provisions are amended in Colorado (6-3), and in Connecticut, a Board of Governors replaces the Board of Higher Education (7-4). Three bills were submitted from Florida. The Governor's ethics Committee is enlarged (9-8), a State Apprenticeship Council is established (9-15), as well as a schedule for the "sun down" of certain advisory boards (9-31). Georgia submitted four related bills. Members are commissioned for a Waste Management Council (10-14), the Professional Standards Commission is created (10-15), the Board of Examiners of Licensed Practical Nurses is continued (10-27) and

scheduled to terminate in 1988 (10-28). Hawaii creates a statewide cooperative council and plans for a central marshalling facility (11-13). The membership on the Council on Higher Education is redefined in Kentucky (17-1) as well as the Department of Education reorganized (17-2). Louisiana provides for a member of the Board of Regents to serve on the state's PIP's committee (18-9). The size of all institutional boards of trustees is increased in Massachusetts (21-4), and Minnesota removes the Commissioner of Education from the State University Board and as Secretary of the Board (23-6). Mississippi provides for a nine member Lay Board of Education (24-6). The number of delegates on the Mississippi Cosmetology Council is increased (24-9), and a third bill creates the Board for Vocational and Technical Education (24-13). Oklahoma provides for an advisory board for the Tulsa University Center (36-8) and recreates the Board of Examiners for Speech Pathology and Audiology (36-21). Certain board powers are established and defined in West Virginia (48-3). Utah would have provided that the Board of Regents should be elected instead of appointed (44-20). The District of Columbia would have enabled the Educational Institution Licensure Commission to license nondegree granting institutions (51-4). In Maine legislative members on the New England Board of Higher Education and the Maine Education Council would have been removed (19-6), and New Jersey would remove the County Superintendent of Schools from the County Vocational Board and Coordinating Agency for Higher Education (30-15). North Carolina would allow the Governor to appoint an additional trustee for Tri-County Community College from Clay County (33-9).

Process of Policy Formation

Legislation in this subject category includes bills that determine the focus and scope of authority at local and state levels. Seventy-seven bills were reported which doubles the number received in 1981. The percent-to-total, however, has declined slightly over the past three years with a reported percent-to-total of 26.7 percent. Its breadth overlaps into other subject categories, therefore only those bills unique to this area are presented here. An Alabama bill establishes the authority of the Board of Education and provides the administrative

action necessary to govern the junior colleges and trade schools (1-1). In three separate bills, Arizona allows the Community College State Board of Directors to set interest rates on revenue bonds (3-2); requires the Auditor General to determine the accounting systems, methods, and procedures to be used by community college districts (3-10); and revises the authority of the State Vocational Education Board (3-20). Four California bills are also pertinent. Community college districts are permitted to exercise certain authority and governing bodies are permitted to issue revenue bonds (5-7); declares the state policy to maximize local control related to federal funds (5-11); permits governing bodies to establish a school district police department (5-21); and authorizes community college districts to maintain minimum peace officer standards (5-48). Connecticut makes technical changes in the law dealing with the duties and responsibilities of the State Board of Independent Colleges and Universities (9-20). Boards of Directors are authorized to establish nonprofit foundations in merged areas in Iowa (15-5). A Kansas bill amends the law which allows community college trustees to act as self-insurers for providing health care services (16-12), and Mississippi gives Higher Education Board of Trustees discretion to change policy on course loads (24-8). Washington confirms the general adminstration authority to contract for public works on behalf of community colleges (47-2). Three important New York bills were submitted. The first one would have given specific authority for the University Peace Officers to issue appearance tickets (32-23). Another bill would have given the Adminstrative Regulation Review Commission authority to require agencies to hold public hearings before adopting a proposed rule (32-43), and the remaining bill would have required "any fee" to be subject to formal rule-making proceedings (32-43). The final Utah bill (44-18) would have provided for full authority in the legislature to prescribe for the governance of higher vocational education without regard to the power of the State Board of Education.

Administrative Operations

Bills reported in this section typically deal with general managerial issues. Although administrative operation legislation may

have nominal substantive impact on the decision-making process, procedural bills can influence institutional direction. More issues were identified in this area than in any other administrative area. Ninety-two bills fell into this category, more than doubling the number received in 1981. Among the most common themes were those concerned with open meeting laws, rule making, confidentiality and disclosure, and boundaries. Each of these topics as well as other varied issues are discussed below.

Four bills were submitted concerned with rule-making. California requires state agencies to set an annual calendar for new rule-making in advance (5-26); New York imposes a 180 day time limit for final rule-making agency action; legislative review of agency rules would have been provided in Arizona (3-23); and New York also amends other rule making procedures (32-28).

Two bills were submitted dealing with open meetings. Arizona amdends the open meeting laws (3-14), and Georgia revises and supercedes present laws relating to the openness and conduct of public meetings (10-34).

Confidentiality was an issue in four states. Florida insists that universities disclose the title and the description of each research project, the name of the researcher, and the amount and source of funding for projects (9-30); Georgia amends laws relating to the confidentiality of communications (10-20); New York establishes criteria for maintaining the confidentiality of library records (32-1); and Washington exempts the disclosure of library records (47-12).

Two Georgian bills discuss surveillance. In one, the use of surveillance devises by law enforcement officers during the investigation of drug related crimes is insisted upon (10-2), and in the second, additions and deletions are made to the list of dangerous drugs (10-17).

Three states present issues concerning the use of forms. Oklahoma requires state agencies to use state contract forms for capital improvement projects (36-14), Washington promotes the more efficient use of forms (47-4), and New York would require all agencies to review forms

and report requirements in order to establish paper work reduction goals (32-31).

Three bills were provided dealing with boundaries. Two of these were submitted by California. In the first, boundary adjustments of school trustees boundaries are required in line with decennial census figures (5-29); and in the second, all local agency boundaries are validated (5-30). An Arizona bill would have provided procedures for organizing community college districts (3-32).

The remainder of the issues were varied. Arizona provides for a moratorium on forming community college districts until June 30, 1984 (3-16), and California exempts education from the use of the Attorney General as legal counsel (5-3). California authorizes the Peralta Community College district to equalize the population of its trustee areas (5-49), and Florida authorizes the practice of making unemployment compensation payment by mail (9-7). Georgia amends laws related to claims against the state (10-6) and laws relating to the inspection of public records (10-35). In four bills Louisiana requires written loyalty oaths or affirmations from all State employees (18-3), autnorizes public colleges and universities to sell certain livestock to members of farm youth organizations (18-7), sets financial report deadlines (18-11), and exempts higher education from reporting personnel information to accomodate a statewide information system (18-16). Pennsylvania creates a new criminal offense "library theft" (38-9), and South Carolina submits a bill on credential fraud (40-3). Virginia permits principals of public schools to furnish names and addresses of pupils to colleges and universities (46-8), and Washington shortens the period during which records must be kept (47-10).

While legislative attention is obviously given to macro-public sector policy topics, specific administrative techniques are also affected. The bills discussed here illustrate this. Legislative activity in the realm of administrative operation has institutional and state implications.

Coordination

As in the previous three years, state legislatures did not devote major attention to questions of coordination in 1982. Only thirteen

bills deal with this topic. The general tone of the legislation is to encourage cooperation among institutions in the form of joint commissions to extend educational opportunities. Other themes were represented and the following examples are illustrative. California requests the Chancellor's Office and others to serve on an advisory committee on prison-based education (5-36). Connecticut requires the state board of Education and the Board of Higher Education to form a joint committee to coordinate effectively and utilize efficiently educational technology for students (7-5). The Energy Research and Development Council is created in Georgia with higher education representation (10-13). Another Georgia bill (10-29) establishes a commission on State Growth Policy. Louisiana calls for the Boards of Elementary and Secondary Education and the Board of Regents to establish a joint committee to consider raising high school standards (18-19). California allows certain combinations of community college districts to join together for the payment of health and welfare benefits (5-46). Connecticut requires the State Board of Education in consultation with agencies to prepare a five-year master plan for career and vocational education (7-7). In the same state, membership was reestablished in the New England Higher Education Compact (7-10). Pennsylvania permits security and campus police to enter into agreements with local municipal police to define geographical boundaries (38-2). Two bills were submitted pertaining to coordination with vocational education. In the first, Oklahoma calls for cooperation betwen Regents and boards of vocational and technical education (36-30). In the second, Utah would have created a commission to plan and coordinate policies for vocational education and allocate federal vocational dollars (44-22).

Studies and Surveys

The issues received in this category nearly quadrupled over those received in 1981, and the percent-to-total climbed by 5 percent. Of particular interest is that nearly one-third of the forty-one bills received were submitted by Hawaii. The 1982 legislation was diversified; however, three key themes emerged: needs of the handicapped, teacher preparation, and the quality of education. Details of these and other legislative types are given below. Three bills were submitted

concerning the needs of the handicapped. Connecticut establishes a committee to review the state's efforts within special education and studies the problems of unemployment among handicapped students (7-13); Hawaii studies the need for interpreters for the hearing impaired (11-9) and educational and job-related training opportunities for Vietnam veterans (11-20). Two states were concerned with teacher education. Florida establishes a task force for teacher education quality improvement (9-17), and Hawaii prepares a proposal to improve and strengthen the skills of perspective teachers (11-24). In Virginia, the Senior Citizens Higher Education Act and its impact on institutions is studied (46-11). The remainder of the bills were varied and some examples are now given. California studies the impact of tuition on students and colleges, should the tuition-free state instruction cease (5-1); Florida exempts certain data from disclosure (9-30); and a health and medicine education study commission was created in Georgia (10-37). The multiple issue Hawaian legislation includes: the assessment of the current tuition fee schedule (11-8), alternative ways of assuring the continuation of summer sessions at community colleges (11-10), a report on the feasibility of converting gasoline-powered State and County vehicles into electric-powered ones (11-11), a review of the motor vehicle occupant restraint program (11-12), a study of the adequate supply of nurses (11-14), a determination of the need for the After Hours Gerontology Program (11-19), a review of the equality of pay for work of comparable value (11-21), a study of the effectiveness of Project Ho'Okoho and possible alternate sources of funds for this inservice training (11-22), and studies of the feasibility of establishing state-wide child-care resources (11-24). Louisiana submitted two related bills. One bill calls for a study of football schedules of most public institutions (18-18), and the other considers raising the standards for high school (18-19). New Mexico requests a comprehensive study of community college standards (33-7). Oklahoma presented four diversified bills, these include: an evaluation of the higher education program (36-8), the feasibility of establishing a state supported junior college within McCurtain County Higher Education Program (36-10), further study of and recommendations that best meet the

upper-division educational needs of the Tulsa Community (36-13), and a climatology survey (36-27). Tennessee studies the future expansion of the Tri-Cities Technical Institute (42-18). Three additional issues were submitted by Virginia. A systematic review of state government is implemented (46-3); a study of financial aid for higher education is requested (46-4); and a Vocational-Technical and Career Education Study (46-10) is continued. Washington mandates a study of the education from kindergarden to higher education (47-1), while Wisconsin calls for a study concerning higher education (49-4). A committee is established in California to conduct research for expanding the state's economy and employment rate (5-57). Two proposed bills are also considered. Utah would have called for a study of the extent to which higher education competes with private enterprize (47-17), and New York would have called for a plan for vocational education (31-11).

Enabling Legislation

This category has always received the least amount of legislative attention. The tradition was firmly maintained in 1982 with only one bill submitted. This issue would authorize the New York Department of Agriculture to contract with the Agriculture and Technical College at Canton for design, construction, and operation of methane generators (32-42).

Government Liaison and Public Interpretation

This is the first year to include the seventh administrative category--government liaison and public interpretation. Twelve issues were submitted in this category from five states. Five of the bills dealt with commemorations or commendations. In Florida (9-13) commendations were given in recognition of outstanding contributors to education; Oklahoma commerates the Golden Anniversary of Paducah Community College (17-3); Tennessee commerates an individual after eleven years of tenure on the Tennessee Higher Education committee; Kentucky recognizes services performed by the University of Kentucky Community College system (17-4; 17-6); and Hawaii expressed legislative support for the new, young farmers' program (11-18; 11-25). Florida calls for a Youth Art Symposium (9-1) and proclaims Youth Art Month

(9-36). In Massachusetts, the Board of Trustees at Mt. Wachusett Community College is directed to name their physical education complex the Vietnam Veterans Memorial Physical Education Complex (21-1). Tennessee sets forth regulations relative to the state agency publications committee (42-6) and urges President Ronald Reagan and the Social Security Administration to extend the date for ending benefits for students an additional month (42-16).

Area 3: Physical Facilities

One of the smallest areas of legislative activity has been and continues to be Physical Facilities. This year it is the area with least legislative activity. Only twelve issues were seen in this category in 1982. The percent-to-total has decreased from 2.5 percent in 1981 to 1.4 percent in 1982. Bills within this category are classified into three areas: building codes, construction procedures, and facility regulation. Each of these will be considered in the following:

Building Codes

Two bills were reported that affect building codes. Georgia (10-30) amends the law relating to standards and rquirements for the construction and alteration of building and other structures, provides for certification of industrialized building and for the establishment of uniform health and safety standards and inspection procedures for industrialized buildings. A defeated bill in Arizona (3-38) would have established more building standards for public buildings.

Construction Procedures

Four relevant bills are reported here. In California (5-14) a mechanical or electrical engineer is made responsible for plans for school buildings where such work was normally performed by persons already on site. The requirement that apprentices be used on public construction contracts was removed in Florida (9-28), and a New York bill (32-32) would mandate the elimination of architectural barriers to the use of buildings by disabled persons.

Facility Regulations

Half of the legislation related to construction and use of physical facilities was related to facility regulations. Two such bills were enacted in Connecticut. The first of these (7-3) repeals legislation which allowed the University of Connecticut to develop and operate a hazardous waste disposal facility on its main campus without requiring certification from the Hazardous Waste Facility Siting Board, thus placing the development of the facility under the jurisdiction of the Siting Board. The second Connecticut bill (7-9) eliminates the standard for smoke detection in dormitories and requires compliance with the Connecticut Fire Safety Code Standards which are more appropriate for dormitories. Florida also was represented by two legislative items. All schools with hot water use of 1,000 gallons daily are required to use solar hot water heating and are prohibited from the use of fossil fuel to heat swimming pools. Low energy features are to be incorporated into all new construction (9-11). Florida also provides that anyone who enters a public school campus without authorization or invitation, and who has no lawful purpose for being there, commits a trespass and may be charged with a misdemeanor of the second degree; and one who refuses to leave after being directed to do so by the principal or his designee may be charged with a misdemeanor of the first degree (9-25). In Iowa, a bill would have permitted a merged area (with the approval of the state board of public instruction) to purchase additional property which would cause the area to exceed the 320 acre limitation (15-15). A Missouri bill would relate violations of prohibition of smoking in certain public places with penalty provisions (25-9).

Area 4: Institutional Growth

The 1982 legislation indicates an increase in the Institutional Growth percent-of-total from 1.6 percent in 1981 to 2.7 percent. What is more significant than the 1.1 percent-of-total increase is the number of bills received. The number received has practically tripled from nine in 1981 to twenty-four in 1982. The institutional growth category has been divided into four subgroups: new institutions, institutional expansion, name changes, and restrictions on growth. As in the two most

recent years, over half this type legislation is in the institutional expansion subgroup.

New Institutions

Four bills concerned with new institutions were reported this year. California (5-24) has set up an institute for computer technology to conduct programs for K-12 pupils or adults. Paier College of Art in Connecticut has been authorized to confer associate and baccalaureate degrees (7-17). Two bills came from Oklahoma. The first of these (36-8) authorizes and provides for the establishment of a University Center at Tulsa, and the other (36-10) creates a higher education program for the McCurtain area.

Institutional Expansion

Continuing the trend of recent years, the majority of institutional growth issues concerned institutional expansion. Florida has authorized the sale of land at the present Florida Atlantic University West Palm Beach Center and allocated the proceeds for relocation of the center to a new site on the North Campus of Palm Beach Junior College (9-5). In addition to this, Florida has deleted the requirement that the educational program at the School for Boys at Okeechobee be operated by Indian River Community College (9-33). Minnesota has conveyed five acres of land to the city of Brainerd for student housing needs for the operation of Brainerd Community College (23-5). A second Minnesota bill (23-7) authorizes the acquisition and betterment of public land and buildings. In Nebraska a construction limitation applicable to all Technical Community College areas for metropolitan technical community college areas was removed (27-6). The status of the University of Nevada, Reno has been changed to a branch of the University of Nevada System (28-1). New Jersey provides for the establishment of Union County College through the consolidation of Union College and Union County Technical Institute (30-8). A major bill was enacted in Pennsylvania. Here, a new state system of higher education, independent of the Department of Education and governed by a Board of Governors, was established; this new system is composed of the existing twenty-three state colleges and Indiana University of Pennsylvania (38-3). A joint-

commission was created to study the feasibility of the future expansion of Tri-Cities Technical Institute in Tennessee (42-18). Utah has authorized student fee bonds to finance expansion of student services facilities (44-7). In Washington guidelines have been established under which the Council for Postsecondary Education shall contract to establish multipurpose service centers and programs to provide necessary training, opportunities, counciling and services for displaced homemakers (47-9). A Missouri bill would make postsecondary educational opportunities available to those who do not reside in existing community college districts (25-5).

Name Changes

Four legislative bills concerning name changes were submitted this year. Two of these were in Oklahoma. The first one changes the names of Claremore Junior College to Rogers State College (36-26), and the second reinstates the name of Northeastern Oklahoma Agricultural and Mechanical College as part of the Oklahoma State System of higher education (36-28). The campus of the Nashville Area Vocational-Technical School has been named for Matt Lynch in Tennessee (42-19). The Board of Trustees at Mt. Wachusett Community College in Massachusetts has been directed to name their physical education complex the Vietnam Veterans Memorial Physical Education Complex (21-1).

Restrictions on Growth

The least number of institutional growth items relate to restrictions on growth. Only two such bills were received. Both bills were submitted by the State of Washington and concern the duplication of services. The bills would have prohibited the publicly supported institutions from duplicating the services on nonpublic services unless the latter would not meet current or projected needs (47-22; 47-23).

Area 5: Personnel

The number of personnel issues increased considerably from 96 items in 1981 to 132 bills in 1982. Within the four category subgroups (employee benefits; employee rights, responsibilities and regulations; collective bargaining; and faculty workload) several shifts were noted.

An 8 percent-of-total drop was seen in employee benefit matters and a corresponding 8 percent-of-total increase in employee rights, responsibilities and regulations. A slight decrease of 1 percent-of-total occurred in collective bargaining issues, and no activity was submitted in the area of faculty workload. Each of the three subcategories containing legislative items will be analyzed in detail below.

Employee Benefits

Within this subgroup were fifty-nine legislative issues and was the second most popular area within this category. These fifty-nine issues fell into eight areas of special interest: retirement, insurances, sick leave and vacation pay, unemployment compensation, administrative matters, salaries, seniority, and miscellaneous issues. Each of these areas of special interest are discussed below.

The most represented area was that of retirement with eight states reporting such issues. Florida permits the additional purchase of retirement credits (9-29); Georgia extends retirement credits to services rendered to the Bureau of Indian Affairs (10-9); pension benefits have been increased in Iowa (15-3); the public retirement system has been modified in Kansas (16-7); procedures governing the payment into the teachers' pension system have been outlined in Maryland (20-1); Oklahoma legislated concerning retirement credits (36-1); Pennsylvania permits limited commission work by retirees without loss of retirement benefits (38-5); and Tennessee makes minor changes in social security and retirement provisions (42-9).

The next area concerns insurances. Here, seven states submitted bills. The purchase of liability insurance by junior colleges was authorized in Mississippi (24-10); Arizona increases the state's share of health and accident insurance coverage for full-time employees and dependents (3-18); modifications were made in Kansas regarding self-insurance health plans (16-5); Mississippi authorizes an increase in life insurance benefits (24-10); disability and death benefits have been increased in California (5-19); disability for vision loss as well as an increase in work-related death benefits were legislated in Florida (9-9); and liability insurance is made available for nonteaching personnel in North Carolina (33-7). Sick leave and vacation pay were

represented by three states. Tennessee had two such bills. The first further defined sick leave eligibility (42-3), and the second authorizes eligibility for attendance bonuses for unused sick leave (42-7). In Washington, the practice of paying for unused vacation upon termination (except in the case of death) was withdrawn (47-7). A proposed bill in Utah (44-15) would have provided incentives to reduce the abuse of sick leave. Unemployment compensation was another area of activity. Here, too, three states are represented. In California, additional weeks of unemployment insurance were provided (5-31); Florida permits unemployment compensation by mail (9-7); and additional guidelines were provided in South Carolina to govern unemployment during vacations and semester breaks (40-4). Administrative detail accounted for bills in two other states. Minor amendments were made in Georgia concerning compensation laws (10-18); and, in Washington, a program is established to pay employees for efficiencies (47-16). Salaries were items of interest in Hawaii and Pennsylvania. Hawaii fixes certain executive salary ceilings (11-4) and Pennsylvania enacts cost-of-living adjustments (38-10). A minor area was that of seniority with only one state represented. Minnesota allows teachers at community colleges to accrue seniority during leaves of absence (23-6).

The last grouping of bills are miscellaneous topics. Schools are permitted to become unemployment disability insurers and withold employee contributions in California (5-15); California also permits teachers to serve unions and receive retirement credit (5-32) and permits classified employees to work part-time while maintaining retirement credit (5-47); "shared employment" programs are begun in Florida (9-4); reimbursement for defense expenses are allowed in New York (32-14); Washington permits lump sum pension benefits where monthly benefits are under $50.00 (47-6) and establishes a program whereby employees are paid for efficiencies (47-16); and, finally, Delaware would provide for monetary awards for suggestions resulting in financial or economic benefits (8-17).

Employee Rights, Responsibilities and Regulations

This category was the largest of the personnel subgroups and rose from 40.4 percent-of-total in 1981 to 48.5 percent-of-total in 1982. Several bill types were identified within this subgroup--among these

were those concerning liability, public disclosure, discrimination, retirement, legal representation, and miscellaneous issues. Each type will be discussed below.

Liability matters were found in seven states. School employees are exempt from civil liability in reporting drug violations in the states of Florida (9-16), Georgia (10-19), and Vermont (46-9); New York provides for employee indemnification when employees act within the scope of public employment and have no intentions of violating prior orders of judgement (32-10); liability is extended to nonteaching personnel in North Carolina (33-7); and Utah would have provided for limitations of liability for injuries arising out of proprietary functions (44-12). Two states provided legislation concerning disclosure. Arizona would have protected the disclosure of information by public employees (3-29). Delaware submitted four pending bills. In the first one, certain elected or appointed officials would have been required to disclose the sources of outside income and identify financial interests (8-7); another would make it clear that public officials who are grantors of loans (for which they have received no monetary proceeds) are not required to report such loans (8-8); a third bill would clarify that public officers who are co-makers of loans and primarily liable on the indebtedness must report such loans (8-9); and the last bill would raise any capital gain requried to be reported from $1,000 to $5,000 (8-14). Two states submitted discrimination bills. Standards relating to discriminatory practices are required in California (5-28), and California also requires personnel directors to be free of bias and states that reasonable notice must be given for reclassification plans (5-56). A New York bill would prohibit discrimination against any person with a disability (32-47). Three bills were reviewed concerning retirement. Nebraska provides for employment beyond the compulsory retirement age of 70 (27-2); West Virginia forbids forced retirement of college professors with unlimited tenure prior to age 70 (48-2); and a New York bill (32-38) would eliminate mandatory retirement. Several bills were found relating to legal representation. Florida permits representation by a nonattorney in any administrative proceeding (9-27). In Louisiana, final offer arbitration is extended to certain public employee impasses (23-9). A

New York bill provides for reimbursement of criminal defense costs while the employee is acting within the scope of public employment (32-15).

The remaining issues covered a myriad of topics. A Georgia bill authorizes leaves of absence for public employees to donate blood (10-16). Three different proposals were enacted in Louisiana. The first one protects the confidentiality of employees' unlisted telephone numbers (18-2), another bill requires loyalty oaths or affirmations by employees within fifteen days of employment (18-3), and the third designates that the use of academic titles must be clarified in advertising (18-10). In Mississippi, members of junior college boards of trustees are required to file annual statements of financial interests (24-11). In Ohio, hazing is a misdemeanor of the fourth degree and holds administration and faculty responsible (35-1). Three varied items appeared in Oklahoma. The first forbids certain activities by public employees (36-2), the second states that alien instructors must be proficient in the English language (36-7), and the third increases reimbursement for meals and lodging for travel while on state business (36-24). In Tennessee, restriction of political activity of state employees on leave during nonworking hours is forbidden (42-11). Washington has modified the Civil Service reform bill (47-18). Arizona would have prohibited strikes by public employees (3-27). In New Jersey, payment would be provided to pay the salary of any suspended, tenured, professional staff member of a state or county college with the determination of any charge not made within 120 days (30-12). Arizona permits employees to participate in deferred compensation plans (3-5). The merit system in community colleges was strengthened in California (5-12). Connecticut extends collective bargaining to part-time employees working less than twenty hours per week (7-14). New York makes it improper for an employee to refuse to continue all terms of an expired agreement until a new contract is negotiated (32-30). Pennsylvania states that campus police must receive training to carry firearms (38-2). Health requirements for food service workers are stipulated in Florida (9-18).

Collective Bargaining

For the last five years the amount as well as percent-to-total of collective bargaining issues has decreased. Only nine issues were

reported this year reflecting a 1 percent-to-total drop from 8.8 percent in 1981 to 6.8 percent in 1982. Arizona requires the use of arbitration in certain state government contracts (3-1). Collective bargaining is extended to part-time employees working less than twenty hours per week in Connecticut (7-14). Two labor agreements were ratified: one in Minnesota (23-1) and the other in the District of Columbia (51-3). Minnesota also clarifes the "meet and confer" status for professional employees and extends final offer arbitration to certain public employee impasses (23-9). Disciplinary determination has been placed within the scope of public employee collective bargaining agreements in New Jersey (30-3). Two final issues were submitted by Illinois. The first bill would have created the Illinois Education Relations Board (13-4), and the second would establish the right of educational employees to bargain collectively (13-8).

Area 6: Students

Although a slight decrease was apparent, the number of legislative items dealing with students reflected little change with last year's report. These proposals are categorized by three topics: student rights and responsibilities, tuition and fees, and student aid. What stood out in the analysis was the drop in the number of tuition and fees related bills and rise in student aid matters. Over half the student issues dealt with student aid. Legislation in each of the subject categories will be discussed below.

Student Rights and Responsibilities

There was little difference in the number of legislative items within the student rights and responsibilities category compared with last year; however, a change was observed in the foci of the 1982 bills. Unlike 1981, when the principle theme was the students' role in institutional decision making, the majority of the issues in 1982 were related to loan repayment. California is asking Congress to implement a program whereby the applicable student loan authority makes a determination as to whether a person who is in default of a student loan is financially capable of repaying the loan. If found incapable, the student loan authority could require the person to perform community

work in his or her related field of study for which credit would be given towards the amount owed (5-43). The repayment status of students who are awarded loans and who subsequently reduced their enrollment status below full-time is clarified in Hawaii (11-12). Hawaii also clarifies the repayment of loans by students who reduce their enrollment status below half-time. Loan recipients must begin payment when they graduate or when they cease to be enrolled at least half-time in a degree program (11-16). A special loan fund is established in New Jersey (30-6). A New York bill provides for the collection of past due support and defaulted guaranteed student loans from overpayments of state and city income taxes due the delinquent borrower (32-13). Utah also has authorized student loan collections by witholding income tax refunds (44-2). Another Hawaii bill (11-27) would have provided for the collection of delinquent debts owed the University of Hawaii through the offsetting of tax refunds.

A second area of activity was that of discrimination and equal opportunity. Two of these bills were submitted by California. The first of these (5-28) calls for standards relating to discriminatory practices. The other legislation sets the policy of equal opportunity for all persons, regardless of sex, and prohibits contrary policies in the state schools (5-25). New York also submitted two bills. Discrimination of the basis of sex was added as an unfair educational practice in the admission of students to postsecondary institutions, business, or trade schools (32-4). The second bill would prohibit discrimination against any person with a disability (32-47).

Residency issues were also apparent in this year's legislation. Students were classified for tuition purposes at both the universities and community colleges in Arizona (3-12). California provides new rules for residency fees in community colleges (5-24). In Idaho, the definition for residency requirements for the junior college districts was amended. The provision allowing a residency-decision appeal to the State Board of Education was stricken (12-1).

Two bills were directed to student representation on boards. Alaska provides for the appointment of a student on the Alaska Commission on Postsecondary Education (2-3). Student members may be appointed to the Board of Directors of the Tennessee Student Assistance Corporation (42-14).

Another area of interest was that of postsecondary education for secondary students. All activity concerning this issue was in Minnesota. One bill authorizes school districts to develop programs enabling secondary students to attend courses at postsecondary institutions (23-3), and a second bill permits the granting and transfering of credits for secondary students (23-7).

The remainder of the issues centered on the use of names and titles and other miscellaneous matters. Georgia permits a spouse to use a certain surname when the use is not with the intent to defraud (10-5). Louisiana stipulates that any person using the term "Doctor" must designate the degree to which he is entitled (18-10). A voluntary checkoff system has been established for students wishing to direct a payment to the Massachusetts Public Interest Research Group (21-3). Mississippi has removed restrictions on course loads of students (24-8). Insurance may be issued for varsity athletes in Nevada (28-1), and hazing has been made a misdemeanor of the fourth degree in Ohio (35-1). Oklahoma requires state supported institutions of higher education to accept transfer credits of students from other state supported institutions of higher education (36-12), and South Carolina acts against credential fraud (40-3). A New Jersey bill would require standardized test agencies to release certain information relating to tests to those taking them (30-11). Persons over 65 years of age would be permitted to take courses for credit at state-operated institutions on a space available basis in New York (32-25).

Tuition Fees

In 1981 a surge of activity was noted within this category; however, this year just the opposite has occurred. The number of tuition and fees issues has dropped from forty-two in 1981 to a mere fifteen in 1982. Seven states report tuition or fee increases. In Connecticut (7-10), students enrolled in out-of-state public institutions are to pay in-state tuition plus an additional 25 percent. Idaho authorized a tuition increase for home counties (12-1); Illinois has permitted an increase of $3.00 per credit hour to cover program costs where needed (13-3); Oklahoma (36-16) approved tuition hikes; California (5-24) provided new rules for residency and fees, and two

states, Wisconsin (49-6) and Florida (9-37) would have authorized tuition and fee increments. In Colorado (6-4), the tuition level for students enrolled in off-campus programs is not to be less than that charged for on-campus programs. Two states, Hawaii (11-6) and West Virginia (48-3), have clarified qualifications for resident tuition fees. Two other states have submitted issues relating to military personnel attending institutions of higher education. In New York (32-19), the tuition for military personnel is not to exceed resident tuition, and an Illinois bill (13-9) would have permitted a fee to be assessed to students residing on military bases. Certain nonresidents have been given tuition waivers in Washington (47-14), and a Missouri bill would have made public postsecondary education tuition free (25-10).

Financial Aid

A significant increase occurred in 1982 financial aid issues. Over half the student bills (52.5 percent) were concerned with student aid. Within this category were several major areas of concentration. Among these were: tuition waivers and grants, aid regulations, and creation of loan authorities and special appropriations. Within the area of tuition waivers and grants numerous interest groups have appeared. Five states provided tuition waivers for senior citizens. Maryland (20-4), Virginia (46-7), and New Jersey (30-2) have legislated tuition waivers for senior citizens, and Delaware (8-3) and New York (32-25) have such legislation pending. Another major interest group is veterans. Illinois would appropriate $4 million to cover shortfalls in the veterans scholarship program (13-7). New York would have given tuition waivers to Vietnam veterans (32-27), and Florida (9-6) gives educational benefits to children of MIAs who are still unaccounted. The National Guard was also singled out for aid. Oklahoma appropriated $275,000 for members of the National Guard (36-19), and Illinois would appropriate $250,000 (13-6) for the same interest group. Two states legislated bills to include part-time students in financial aid. Tuition waivers are extended to part-time students in Connecticut (7-15) and Oklahoma (36-3). Both grants and new pilot aid projects were enacted for low-income students

in California (5-45). Illinois would provide funding for the disadvantaged to supply both education and jobs (13-12). Regent awards were approved for children of firemen and policemen killed in the line of duty in New York (32-18). In Arizona, tuition waivers were given to faculty members and their children as well as classified employees who take courses that are job related (3-8). Chiropractic scholarships were made available in Oklahoma (36-9). A second area of substantial activity within the financial aid cagegory was that creating loan authorities and appropriating additional funds. Additional loan authorities were established in Connecticut (7-6), Delaware (8-2), Pennsylvania (38-7), Maryland (20-7), and New Jersey (30-6); and New York has a like bill pending (32-34). Tennessee established a system of loans for parents (42-12). Additional financial aid was appropriated to Maryland (20-3) and Washington (47-14). New Mexico appropriated $1 million for work-study programs (31-2), and Delaware would have provided a state subsidized employment program as a financial aid mechanism (8-19). A third grouping of issues concerned state aid regulations. California passed new regulations concerning financial aid (5-18) and guidelines for aiding welfare recipients attending community colleges (5-22). Colorado extended the eligibility for student loans to those attending private occupational schools (6-1). Florida makes some changes in the scholar's fund (9-17). In Idaho, a bill dealt with the distribution of state and county liquor tax funds (12-2). Kansas permits the issuance of tax exempt bonds for loan funds (16-6). Reciprocity agreements are encouraged in Utah for state tuition waivers (44-4). New York would legislate stipulations concerning regent scholarship amounts (32-33). The last subgroup within financial aid concerned miscellaneous matters. Students using validated meal tickets are no longer required to pay sales tax in Arizona (3-9). California requests Congress to accelerate loan collection (5-4) and also authorizes college student travel pay of $4.00 per day for those traveling in excess of 180 miles daily (5-17). Lastly, Florida has encouraged loans through private capital investment (9-24).

Area 7: Academic Programs

A drop from 11.6 percent in 1981 to 4.2 percent in 1982 was noted in the 1982 percent-to-total of academic program related items. Also significant is the decrease in the number of these type issues received. Those analyzed in 1981 numbered sixty-six; this year's total is slightly over half that received last year (thirty-four). Within the major category, the two subdivisions: 1) curriculum and 2) accreditation and certification are following the last year's pattern. The number of curriculum related issues dropped and those of accreditation and certification rose. Each of the two subcategories is discussed below.

Curriculum

Twenty-five (67.7 percent) of the academic program bills were related to curriculum. The first four bills were submitted by California. The first isssue (5-44) calls for a plan for the retraining of displaced workers--a timely issue! A Foster Children and Parent Training Fund is established for implementation in the community colleges, and Foster Youth Care Counseling Service at the K-12 level (5-53). Public Social Service programs are called for (5-54), and all educational agencies have been requested to teach an understanding of the American economic system and economic principles (5-5). In Colorado, the governing boards of each state-supported institution of higher education are authorized to provide off-campus instruction in areas reviewed and approved by the Commission on Higher Education (6-4). Florida has required the Department of Education to conduct annually the Florida Youth Art Symposium as a means of recognizing and rewarding those students and their teachers whose works of visual or creative arts have been showcased in the Youth Art Exhibit of the Florida State Fair (9-1). Another Florida bill (9-35) supports the importance on international education programs in its universities and community colleges. Five curriculum-related bills were submitted by Georgia. Physicians may supervise more than two physician's assistants while on call for a solo practitioner or as a member of a group practice setting (10-1). Georgia also amends laws providing for control and operation of clinical laboratories, blood banks, and tissue banks to provide that medical laboratory technicians may be substituted by medical laboratory

technologists who have at least two years experience but who do not have more than 134 hours of college or university-level work (10-11). The qualifications of landscape architects have been changed (10-12), and the Statewide Fire Protection Study Committee was created (10-24). Another Georgia bill concerns medical examiners (10-31). The last Georgia bill (10-32) amends the requirements for becoming a registered sanitarian. Oklahoma created the Commission on County Government Personnel and Training to oversee a professional development program for training county officials through the Center for Local Government Technology and Cooperative Extension Service at Oklahoma State University. A second Oklahoma bill (36-20) allows any institution in the Oklahoma State System of Higher Education to offer an elective course in American sign language and grant credit for such course toward satisfaction of a foreign language requirement (36-23). In Washington guidelines were established under which the council for postsecondary education will contract to establish multipurpose service centers and programs to provide necessary training, opportunities, counseling, and services for displaced homemakers (47-9). Another Washington bill (47-11) modifies regulations for approval of cosmetology programs. A New York bill (32-35) would have allowed the Department of Motor Vehicles to approve certain automotive repair mechanical training courses and to issue documents of approval to those mechanics who successfully completed the course. In Utah, a proposed bill would have imposed prohibitions upon the telecasting of "indecent" materials (44-13). The District of Columbia would have created an educational program for young adults (aged 18-23) who are interested in becoming firefighter cadets (51-5). A constitutional amendment would have changed vocational education in Arizona (3-22). In Delaware, the Nursing Practice Act would be revised to bring into alignment the practice of nursing and delivery of health care as it is taking place today (8-18). A job training bill in Illinois would emphasize job training rather than the creation of public service jobs for the disadvantaged (13-12). Lastly, New Mexico would have developed a program for industrial training assistance (31-8).

Accreditation and Certification

The number as well as percent-of-total accreditation and certification issues under academic programs has decreased. Twelve such bills were presented this year. A Colorado bill (6-1) changes a requirement for a private occupational school to qualify as an institution of higher education under the state student guarantee program by providing that the minimum length of instructional programs offered be 300 clock hours rather than six months. District school boards in addition to community colleges and universities have been added as eligible to enter into contracts to provide facilities for instruction in certification courses for nursing assistance in nursing homes (9-19). Georgia creates a Professional Standards Commission and provides that it recommend to the State Board of Education standards and procedures for certifying educational personnel to practice in the public schools (10-15). A second Georgia bill relates to physicians and the Board of Medical Examiners (10-31). A law was amended in Kansas which requires private postsecondary institutions to be approved by the State Board of Regents in order for them to legally award academic or honorary degrees (16-11). This bill also permits Kansas City College and Bible School to grant degrees. In Mississippi, certain requirements concerning health certificates for cosmetology licensure have been deleted (24-1), and barbers may take 500 hours of cosmetology training for a license in cosmetology. Associate of Science degrees are to be awarded at Utah Technical College at Salt Lake (44-6). A New York bill would have amended the Vehicle and Traffic Law to allow the Department of Motor Vehicles to approve certain automotive repair mechanical training courses and to issue documents of approval to those mechanics who have successfully completed the course. In Delaware, the Nursing Practice Act would be revised to bring into alignment the practices of nursing and the delivery of health care as it is taking place today (8-18).

III

ADMINISTRATIVE LEGISLATION AND INSTITUTIONAL AUTONOMY

A major issue facing those interested in and providing leadership to the community college is the degree to which individual community, junior, and two-year technical colleges can act autonomously to serve local needs. Legislative developments affect institutional autonomy since they may explicitly harness institutional activity and establish procedural stipulations to impede institutional performance. Therefore, each of the annual legislative studies in this series tries to describe the type of impact of state legislative actions on local institutions.

The method of categorization used here follows that employed in previous reports so as to better understand the effect of legislative actions on administrative operations at the local institutional level. All bills in the subject categories of governing bodies, policy formation, administrative operations, and coordination were classified according to whether their effect is likely to be felt primarily at the state level, the institutional or local level, or at both levels.[1] An additional two-fold distinction was made for all bills. First, the language of each relevant bill was reviewed to determine if the legislative intent appeared to require certain actions (mandatory) or simply to permit them (permissive). Second, each bill's content was analyzed to ascertain whether the legislative action has the effect of eroding autonomy, supporting autonomy, or providing for procedural changes that did not substantively affect autonomy.

In line with the analytical technique used in the 1977-1981 studies, the bills were not identified separately according to each of the five categories--mandatory, permissive, erosive, supportive, and procedural. Rather, they were cross-tabulated (i.e., mandatory-erosive, permissive-supportive, etc.). The results of this process are shown graphically in Tables 9 and 10. Table 9 provides information on 1982

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[1]The 1982 report is the first year to include an analysis of administrative legislation with potential state and, combined state and local impact. See Appendix D for bill detail.

Table 9

ADMINISTRATION RELATED LEGISLATION:
TYPE OF LOCAL IMPACT, 1982

	Mandatory Bills		Permissive Bills		Total Bills	
	Number	Percent	Number	Percent	Number	Percent
Erosive Bills	32	28.3	2	1.8	34	30.1
Supportive Bills	11	9.7	27	23.9	38	33.6
Procedural Bills	36	31.9	5	4.4	41	36.3
TOTAL	79	69.9	34	30.1	113	100.0

Table 10

ADMINISTRATION RELATED LEGISLATION:
TYPE OF LOCAL IMPACT, 1978, 1979, 1980, 1981, 1982

	Mandatory Bills					Permissive Bills					Total Bills				
	'78	'79	'80	'81	'82	'78	'79	'80	'81	'82	'78	'79	'80	'81	'82
Erosive Bills	32	31	15	25	32	1	1	15	0	2	33	32	15	25	34
Supportive Bills	3	10	7	14	11	6	9	4	5	27	9	19	11	19	38
Procedural Bills	27	22	20	64	36	3	6	4	4	5	30	28	24	68	41
TOTAL	62	63	42	103	79	10	16	23	9	34	72	79	50	112	113

legislative action while Table 10 offers a comparison of the 1978-1982 tabulations.

Type of Local Impact

One hundred and thirteen bills with potential local impact are reported in the four administrative subject categories used for this analysis. This is an increase of only 1 bill over the number reported last year. Table 9 indicates that the language of a major portion of the 1982 bills mandated rather than permitted certain actions (79 bills versus 39). This represents a sizeable shift over last year when the mandatory bills comprised 97.3 percent (109 bills). With regard to context, the bills fell into the three categories rather evenly--procedural category, (41); supportive, (38); and erosive, (34).

A comparison of the tabulations for the previous years, provided in Table 10, illustrates some trends. First, for the third consecutive year, procedural bills were the most frequently cited type of legislation; however, the number received was down from 1981. Since this typically reflects a legislative concern with the "nuts and bolts" of administrative operation, the potential impact is problematic. Second, reflecting the changes in the percentage of procedural bills there is a slight increase in the percentage of erosive and supportive legislation in 1982 over 1981. Third, legislative language concerning administrative-related bills continues to be generally mandatory. Thus, administrative legislation usually requires certain action. Examples of the bills falling within each cross-tabulation category are provided below. Some of the bills included here have been discussed elsewhere but illustrate points regarding institutional autonomy.

Mandatory-Erosive

Of the mandatory bills with potential local impact the erosive ones accounted for 28 percent (thirty-two bills). This year marks the first in which these type bills comprise the smallest percent-of-total. The Auditor General prescribes a uniform system of accounting for community college districts in Arizona (3-10), and the administration of a hazardous waste disposal facility is removed from the University of Connecticut (7-3). Florida submitted two pertinent items. In the

first, many individual self-insurers of workers compensation are required to become members of the Florida Self-Insurance Guaranty Association, Incorporated (9-3); and the second would have prohibited any agency, including community colleges, from adopting a rule on any topic unless the legislature has passed an authorization statute (9-38). Kansas requires evaluations of full-time community college instructors each semester (16-8), and Missouri would require all agencies to give preference to Missouri corporations and firms when letting contracts (25-6). New Jersey would prescribe the type of insurance a board of education may purchase (30-14). Two bills were submitted by New York. The first would have required agencies to hold public hearings before adopting a proposed rule (32-43), and the second would have required "any fee" to be subject to formal rule making proceedings (32-46). An Oklahoma bill requires state supported institutions of higher education to accept transfer credits from students from other state supported institutions of higher education (36-12). Utah would have severely restricted or forbidden activities of higher education institutions in competition with private enterprise (44-9). A final bill from Washington confirms general administrative authority to contract for public works on behalf of community colleges (47-2).

Mandatory-Supportive

For the first time in the history of this analysis, the mandatory-supportive bills with potential local impact have climbed from third to second place. Nearly 10 percent of the bills (eleven bills) were of this type. Several of the more outstanding ones are discussed in the following. Florida exempts certain data contained within university projects from disclosure (9-30). A Nevada bill (28-1) confirms the power of subpoena upon presidents of community colleges in all instances involving disciplinary hearings. New Jersey permits boards to join together to form self-insurance pools (30-14). A final Pennsylvania bill permits security and campus police at any state related college to enter into agreements with the local municipal police to define geographic boundaries of jurisdiction (38-2).

Mandatory-Procedural

Continuing a trend begun in 1980, the mandatory-procedural bills with local impact remain the most numerous with thirty-six bills comprising 32 percent of the total. Predominant legislation of this type is discussed below. Three such bills were submitted by California. The first (5-30) validates all local agency boundaries, a second bill provides for additional weeks of unemployment (5-31), and the third governs specific information regarding expenditure limitations (5-58). Connecticut and Louisiana require administrative heads of budgeted agencies to submit estimates of expenditure requirements (7-16) and stimulate various changes in deadlines for financial reports (18-11). Delaware excludes members of local school boards from disclosure provisions (8-10), and Georgia amends laws related to the inspection of public records (10-35). Community College Boards and the State Board of Education are jointly establishing standards for courses of instruction in Illinois (13-3). Louisiana submitted several other bills. Written loyalty oaths or affirmations are required of all state employees (18-3), colleges and universities are permitted to retain the ninety-day period for closing their books at the end of each fiscal year (18-15), and higher education is exempted from the provisions of the Personnel Procedures Act (18-16). Missouri relates to meetings, records, and votes of public governmental bodies (25-3). New Jersey requires the Chancellor of Higher Education to report on the incidence of campus violence and the measures undertaken or proposed to deal with the problem (30-1) and also would require standardized test agencies to release certain information relating to tests to those who take them (30-11). New York reported two related bills. In the first, state university units are required to file an annual aid report for contract courses (32-30) and would require voting registration forms to be available in public buildings and places and have each institution of higher education deliver a form to unregistered student at registration (32-41). Oklahoma requires state agencies to use state contract forms (36-14), and Utah legislates on full disclosure of school costs, programs, and policies by private postsecondary schools (44-14). The last Virginia bill requires reports and stipulates due dates (46-2).

Permissive-Erosive

Of the permissive bills with potential local impact, only two were erosive. Colorado authorizes governing boards of each state-supported institution of higher education to provide off-campus instruction in certain areas reviewed and approved by the Commission on Higher Education (6-4), and Connecticut permits tuition waivers not to exceed 10 percent of the tuition revenue payable by the number of enrolled students (7-15).

Permissive-Supportive

Seventy-nine percent (twenty-seven bills) of the permissive legislation was supportive. California alone accounts for eight of these bills. The use of the Attorney General as legal counsel is not required in education (5-3), prescriptive provisions of the education code are deleted and community college districts affected are permitted to exercise authority in related matters (5-7), the state policy to maximize local control related to federal funds is declared (5-11), local agencies are permitted to become unemployment disability insurers (5-15), community college districts are allowed to join together to provide for payment of health and welfare payments (5-46) and are allowed to use specified buildings for earthquake safety (5-50). Three bills were submitted dealing with police forces and powers. Two of these are from California. In the first California bill, governing bodies are permitted to establish school district police departments (5-21), and in the second, minimum peace officer standards are authorized (5-48). New York would have given Peace Officers authorization to issue appearance tickets (32-23). Connecticut provides two related items. In the first, boards are authorized to lease certain land and buildings (7-8), and in the second, the pilot program removing preaudit controls for certain purchases is extended (7-1). Illinois provides for the State Board of Education and community college boards to jointly establish standards for instruction (13-3). Iowa legalizes and validates certain contracts to construct and lease facilities with purchase options (15-6). The requirements for fixed asset accounting are eliminated in Kansas (16-2), and small professional service contracts are eliminated from the review process in Louisiana (18-5a).

Maryland permits boards to go beyond mandated programs of tuition waivers for senior citizens if they so choose (20-4). Three related bills were provided by Mississippi. Junior colleges are authorized to purchase liability insurance to cover official actions of their employees (24-5), restrictions on course loads are removed (24-8), and increases in life insurance coverage for employees is authorized (24-10). Missouri permits community college districts to enter into additional business agreements (25-1). New Jersey provides for the establishment and operation of auxilliary organizations at state colleges (30-4). In a final bill, the New York Dormitory Authority is permitted to construct and finance dormitories for the Fashion Institute of Technology (32-11)

Permissive-Procedural

Only five of the thirty-four permissive bills with potential local impact are procedural. Two of these items are from Florida. In the first, regulations concerning the use of apprentices on public construction projects are removed (9-24), and employers or claimants are permitted to be represented by a nonattorney at any administrative proceeding (9-27). Iowa changes the dates for board meetings (15-8), and New York would have authorized a payroll deduction plan (32-22).

Type of State Impact

For the first time in this series of annual studies, bills with a potential state level impact are included in the administrative subject categories and used for this analysis. One hundred twenty-one bills are reported. This number accounts for 48 percent of the total administrative bills considered in this analysis. These bills were also the most numerous within the three levels of impact: state, local, and both. Table 11 indicates that the language of a major portion of these bills mandated rather than permitted certain actions (ninety-five bills versus twenty-six). In the area of context the majority of the bills were supportive (44 percent) followed by procedural (37 percent) and erosive (19 percent). Examples of the bills falling within each cross-tabulated category are provided below.

Table 11

ADMINISTRATION RELATED LEGISLATION:
LEVEL OF STATE IMPACT, 1982

	Mandatory Bills		Permissive Bills		Total Bills	
	Number	Percent	Number	Percent	Number	Percent
Erosive Bills	22	18.2	1	0.8	23	19.0
Supportive Bills	41	33.9	12	9.9	53	43.8
Procedural Bills	32	26.4	13	10.7	45	37.2
TOTAL	95	78.5	26	21.4	121	100.0

Table 12

ADMINISTRATION RELATED LEGISLATION:
LEVEL OF STATE AND LOCAL IMPACT, 1982

	Mandatory Bills		Permissive Bills		Total Bills	
	Number	Percent	Number	Percent	Number	Percent
Erosive Bills	3	18.75	---	---	3	18.75
Supportive Bills	3	18.75	---	---	3	18.75
Procedural Bills	8	50.0	2	12.5	10	62.5
TOTAL	14	87.5	2	12.5	16	100.0

Mandatory-Erosive

This subgroup is the least represented among the three mandatory, state level items, and twenty-two (18 percent-of-total) bills were identified. The first two bills were submitted by Arizona. The use of arbitration in certain state government contracts is required (3-1), and a moratorium is called for on forming community college districts until June 1984. California provides that Boards of Governors shall review petitions only following an analysis by county committees on school district organizations (5-52), and Colorado provides for the political party composition of boards and commissions (6-3). State Boards setting standards for admission to teacher education programs in Florida must insure that 90 percent of the applicants score at or above the fortieth percentile on national tests (9-34). Two Georgian bills waive the state's soverign immunity in certain instances (10-23; 10-38). Kansas strikes the maximum interest rate allowed for municipal bonds and establishes a minimum floating interest rate (16-3). Two related items were provided by New York. In the first, a 180-day time limit for final agency action (after publication of proposed rule-making is imposed) is established (32-3), and in the second bill, the membership of the State Energy Research and Development Authority would be expanded (32-40). Tennessee sets forth regulations relative to the state agency publication committees (42-2). In the last bill, Wisconsin would have prohibited the state board from approving courses without reconciling fees (49-6).

Mandatory-Supportive

The largest number of mandatory, potential state level impact bills were the supportive ones, totaling forty-one (34 percent) issues. Alabama creates a department of postsecondary education (1-1), and Arizona prescribes uniform accounting for use by community college districts (3-10) as well as revises the authority of the State Vocational Education Board (3-20). Connecticut places the development of a hazardous waste disposal facility under the juridiction of the Siting Board (7-3), and Florida establishes a State Apprenticeship Council (9-15). Georgia allows the state to impose sanctions against persons for violations of compact provisions (10-14). Hawaii requests

support of the creation of a Statewide Cooperation Council to plan for a central marshalling facility (11-13), and Kentucky would have given final program approval to the State Board of Education (17-7). Two related bills were provided by New York. The first would have given the Administrative Regulations Review Commission statutory authority to require agencies to hold public hearings before adopting proposed rules (32-43), and the second would have given this same commission the authority to require agencies to extend notice and comment periods on rules and regulations an additional sixty days (32-44). In one of four bills submitted, Oklahoma creates the ethics and merit commission and describes its responsibility (36-2). In the remaining Oklahoma bills governmental control of the Tulsa University Center is given (36-8), the Commission on County Government Personnel Education and Training is created to oversee a professional development program for county officials (36-20), and the Board of Examiners for Speech Pathology and Audiology is recreated (36-21). In an important Pennsylvania bill, a system of state-owned universities is established independent of the Department of Education (38-3). Utah provides two related issues. One would have required classified employees of higher education to be brought into the state employee job classification system and pay plan (44-16), and the second provides for full authority in the legislature to prescribe for the governance of higher education as well as vocational education (44-18). The last item from Washington submitted confirms the general administrative authority to contract for public works on behalf of community colleges (47-2).

Mandatory-Procedural

The procedural bills accounted for 26 percent of the total mandatory, state level impacting issues. Within the thirty-two items the most predominant theme was that of board size. Four states provided board related bills. Arizona and Kentucky propose to increase the size of the State Board of Education (3-21, 17-1), Massachusetts enlarges the size of the Boards of Trustees (21-4), and Mississippi increases the number of delegates on the Cosmetology Council (24-9). Arizona requires annual community college reports to be filed with the Governor (3-7). Two related bills were submitted by California. In the first one,

boundary adjustments are required (5-29), and in the second, information regarding fiscal affairs is requested (5-58). Florida also provided two relevant bills. One prohibits any person suffering from a communicable disease from preparing or serving food or drink in public establishments (9-18), and the other establishes a schedule for the "sundown" of a number of councils (9-31). Georgia makes changes to the list of dangerous drugs (10-17) and revises laws relating to public meetings (10-24). In Kentucky, the Department of Education is reorganized (17-2), and Louisiana includes advertising contracts within the definition of consulting service contracts (18-6). Maine reorganizes education statutes (19-4), and Minnesota removes the Commissioner of Education from the State University Board (23-6). Mississippi requires the filing of statements of financial interest (24-11), while New Jersey would remove the county Superintendent of Schools from the county Vocational School Board and the Coordinating Agency of Higher Education (30-15). New York would call for a review of the State Agency rules after three years (32-45), and Pennsylvania creates a new criminal offense--"Library Theft" (38-9).

Permissive-Erosive

Only one item was submitted in this category. Louisiana relieves various institutions from local amusement taxes (18-17).

Permissive-Supportive

Twelve related items were included here and several examples follow. Illinois provides for the State Board of Education and Community College boards to establish standards for courses of instruction (13-3), and Oklahoma provides for the coordination of dates for Spring Break (36-30). Finally, authority is given to the Washington Director of Retirement System to correct errors in benefits (47-5).

Permissive-Procedural

Half the permissive, state-level impact bills were procedural (thirteen items) and several examples follow. Alaska provides for a student on the Alaskan Commission on Postsecondary Education (2-3), and Arizona allows the State Board of Directors to set interest rates on revenue bonds (3-2). Two related bills were submitted by Florida. In

the first, the prohibition against making unemployment compensations by mail is removed (9-7), and in the second, employers or claimants are permitted to be represented by a nonattorney (9-27). Iowa state boards are authorized to make changes in the boundaries of merged areas (15-10), and Mississippi authorizes a referendum to provide a nine member lay State Board of Education (24-6). The last bill would allow the Governor of North Carolina to appoint an additional trustee for Tri-County Community College (33-9).

Type of State and Local Impact

As with the previous section analyzing bills with potential state impact, this is the first year in which a detailed analysis is provided for administrative bills with potential impacts at both state and local levels. Sixteen bills with potential state and local level impact are reported in the administrative subject categories used for this analysis. Table 12 indicates that the language of a major portion of thse bills mandated rather than permitted certain actions (fourteen bills versus two). In the area of context the majority of the bills were procedural (63 percent-of-total) followed by erosive (19 percent-of-total) and supportive (19 percent-of-total). Examples of the bills falling within each cross-tabulated category are provided below.

Mandatory-Erosive

Of the sixteen total bills with state and local impact, all three erosive bills were mandatory. Arizona amends open meeting laws relative to minutes, agendas, and executive sessions (3-14) and also would have provided a legislative review of agency rules (3-23). California requires state agencies to prepare an annual calendar setting forth advance plans for new rule making (5-26).

Mandatory-Supportive

As with the erosive bills, all three supportive bills are mandatory. Arizona would have ordered a moratorium on hiring state employees which includes employees of community colleges and universities (3-26). Florida requires shared employment programs for all classifications of employees within the State Civil Service System

(9-4), and Washington shortens the period during which certain records must be retained by one year (47-10).

Mandatory-Procedural

Eighty percent of procedural bills with potential state and local impact are mandatory. These represent 50 percent of the total state and local mandatory bills. Two related bills were provided by Georgia. In the first, a ten member Energy Research and Development Council is provided (10-13), and in the second, a Statewide Fire Protection Study Committee is created (10-24). New York submitted three such bills. Criteria for maintaining the confidentiality of library records is established (32-1), rules other than emergency measurers cannot become effective until thirty days after filing with the Secretary of State (32-28), and all agencies would be required to review forms and report requirements in order to establish paper work reduction goals (32-31). Oklahoma revised plans for use in in-service teacher training--staff development by May thirty-first of each year (36-17). Lastly, Washington modifies the forms management program (47-4).

Permissive-Erosive and Permissive-Supportive

No relevant legislation was identified in these classifications.

Permissive-Procedural

Only two of the ten procedural bills were permissive. Washington permits employers to interview five rather than three candidates for job openings (47-18), and New York would have allowed petitions to declaratory rulings (32-39).

IV

LEGISLATIVE INTENT AND THE IMPACT OF STATE LEGISLATION ON COMMUNITY COLLEGES

Community colleges operate within a very broad framework of public policy. Therefore, state legislation designed for all postsecondary institutions and/or state governmental bodies in general affects them as well as specific legislative actions directed solely at these institutions. Beginning with the 1978 report, an attempt has been made to explore the impact of broader legislative concerns on community college-type institutions. This section considers the extent to which state legislatures treat community colleges as elements within the entire postsecondary education policy-making process as state governmental bodies, and the degree to which community colleges are considered as unique educational entities requiring particular attention.

A standard analytical procedure was established in 1978 to provide additional information about the extent to which community colleges are affected by legislation not exclusively intended for them. All legislation (excluding that providing for appropriations and capital funds and three administration subgroups--studies and surveys, enabling legislation, and govenment liaison and public interpretation) in each of the seven major area categories of this study--finance, administration, physical facilities, institutional growth, personnel, students, and academic programs--was classified according to four legislative intent categories: (A) legislation intended for community colleges only, (B) legislation intended generally for postsecondary educational institutions where community colleges are also affected directly, (C) legislation intended for other levels of education (K-12 or higher) but excluding community colleges in certain states and so affecting community colleges only indirectly, (D) legislation intended for state bodies in general that has no particular educational thrust but still affects community colleges. Legislation included under category C does not represent all education-related legislation in the states. Rather, the category includes legislation reported to us which does not

deal specifically with community colleges but is believed to have an impact on them.

The aforementioned procedure was again used for examining the 1982 legislative data reported. The 1982 information is presented in Tables 13 and 14, while comparison data for 1978, 1981, and 1982 are provided in Tables 15 and 16. There are two ways to analyze the legislative intent data. One is to examine the data using the four legislative intent categories--A, B, C, and D--as the primary groupings for analysis and the seven area categories as the secondary units. This is provided in Table 13 in which the percentages are calculated down the columns. A second way to analyze the data is to use the seven area categories--finance, etc.--as the primary focus of analysis and the four legislative intent categories as the secondary focus. This is provided in Table 14 in which the percentages are calculated across the rows.

The following analysis is divided into three sections. The first briefly reviews the 1981 findings, the second analyzes the 1982 data, and the third compares the accumulated findings from the period of 1978 to 1982. A brief summary concludes the chapter.

Review of the 1981 Findings

In the 1981 report, the majority of reported legislation affecting community colleges was typically a product of that intended for postsecondary education in general or state government rather than exclusively for community colleges. Over 46 percent of the reported legislation was addressed to all postsecondary education. Legislation intended for state government accounted for 30.1 percent of the total, while that intended for community colleges ranked third (20.0 percent).

Second, the amount of legislation devoted to the various subject areas varied by the institutional type the legislation was intended to affect. Legislation directed exclusively at community colleges was most often concerned with administrative (38.5 percent) and financial matters (20.8 percent). Legislation intended for postsecondary education in general, but which still affected community colleges, was primarily aimed at students (38.5 percent) and administration (24.6 percent). Bills intended for state bodies in general, but also affecting community

Table 13

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO EDUCATIONAL OR GOVERNMENTAL SEGMENT AFFECTED (PERCENTAGES CALCULATED VERTICALLY)

Legislative Subject	A Legislation Intended for Community Colleges Only		B Legislation Intended for Postsecondary Inst. Including Comm. Colleges		C Legislation Intended for Educational Inst. Excluding Comm. Colleges		D Legislation Intended for State Bodies in General		All Intent Categories	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Finance	44	25.7	86	23.3	2	12.5	64	27.4	196	24.8
Administration	68	39.9	134	36.3	6	37.5	80	34.2	233	36.5
Physical Facilities	12	7.0	8	2.2	3	18.8	1	0.4	24	3.0
Institutional Growth	---	----	6	1.6	1	6.2	5	2.1	12	1.5
Personnel	18	10.5	33	9.0	2	12.5	79	33.8	132	16.7
Students	17	9.9	78	21.1	2	12.5	4	1.7	101	12.8
Academic Programs	12	7.0	24	6.5	---	----	1	0.4	37	4.7
All Subjects	171	100.0	369	100.0	16	100.0	234	100.0	790	100.0

*Excludes appropriations and capital funding bills.

Table 14

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO TOPICAL AREAS AFFECTED
(PERCENTAGES CALCULATED HORIZONTALLY)

Legislative Subject	A Legislation Intended for Community Colleges Only		B Legislation Intended for Postsecondary Inst. Including Comm. Colleges		C Legislation Intended for Educational Inst. Excluding Comm. Colleges		D Legislation Intended for State Bodies in General		All Intent Categories	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Finance	44	22.4	86	43.9	2	1.0	64	32.7	196	100.0
Administration	68	23.6	134	46.5	6	2.1	80	27.8	288	100.0
Physical Facilities	12	50.0	8	33.3	3	12.5	1	4.2	24	100.0
Institutional Growth	---	----	6	50.0	1	8.3	5	41.7	12	100.0
Personnel	18	13.6	33	25.0	2	1.5	79	59.9	132	100.0
Students	17	16.8	78	77.2	2	2.0	4	4.0	101	100.0
Academic Programs	12	32.4	24	64.9	---	----	1	2.7	37	100.0
All Subjects	171	21.7	369	46.7	16	2.0	234	29.6	790	100.0

*Excludes appropriations and capital funding bills.

Table 15

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO EDUCATION OR GOVERNMENTAL SEGMENT AFFECTED: COMPARISON OF 1978, 1981, AND 1982 (PERCENTAGES CALCULATED DOWN THE COLUMNS)

Legislative Subject	A Legislation Intended for Community Colleges Only			B Legislation Intended for Postsecondary Institutions Including Community Colleges			C Legislation Intended for Educational Institutions Excluding Community Colleges			D Legislation Intended for State Bodies in General			All Intent Categories		
	Percent			Percent			Percent			Percent			Percent		
	1978	1981	1982	1978	1981	1982	1978	1981	1982	1978	1981	1982	1978	1981	1982
Finance	21.8	20.8	25.7	8.0	6.9	23.3	0.0	10.0	12.5	30.2	17.6	27.4	18.6	13.1	24.8
Administration	31.8	38.5	39.9	25.3	24.6	36.3	0.0	0.0	37.5	16.8	24.2	34.2	25.1	26.9	36.5
Physical Facilities	3.4	3.3	7.0	2.4	0.5	2.2	0.0	0.0	18.8	12.1	6.1	.4	5.3	2.8	3.0
Institutional Growth	3.9	6.6	--	1.4	0.0	1.6	0.0	0.0	6.2	0.0	0.8	2.1	1.8	1.6	1.5
Personnel	16.2	7.7	10.5	15.0	9.3	9.0	0.0	40.0	12.5	34.2	48.8	33.8	20.6	21.6	16.7
Students	12.3	8.8	9.9	30.1	38.5	21.1	0.0	30.0	12.5	2.0	1.5	1.7	16.4	20.9	12.8
Academic Programs	10.6	14.3	7.0	17.8	20.2	6.5	100.0	20.0	--	4.7	0.8	.4	12.2	13.1	4.7
All Subjects	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Table 16

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO TOPICAL AREAS AFFECTED: COMPARISON OF 1978, 1981, AND 1982 (PERCENTAGES CALCULATED ACROSS THE ROWS)

Legislative Subject	A Legislation Intended for Community Colleges Only			B Legislation Intended for Postsecondary Institutions Including Community Colleges			C Legislation Intended for Educational Institutions Excluding Community Colleges			D Legislation Intended for State Bodies in General			All Intent Categories
	Percent			Percent			Percent			Percent			Percent
	1978	1981	1982	1978	1981	1982	1978	1981	1982	1978	1981	1982	1978-1982
Finance	38.6	33.3	22.4	16.8	24.6	43.9	0.0	1.7	1.0	44.6	40.4	32.7	100.0
Administration	41.9	29.9	23.6	39.7	42.8	46.5	0.0	0.0	2.1	18.4	27.3	27.8	100.0
Physical Facilities	20.7	25.0	50.0	17.2	8.3	33.3	0.0	0.0	12.5	62.1	66.7	4.2	100.0
Institutional Growth	70.0	85.7	--	30.0	0.0	50.0	0.0	0.0	8.3	0.0	14.3	41.7	100.0
Personnel	25.9	7.5	13.6	28.6	20.2	25.0	0.0	4.3	1.5	45.5	68.0	59.9	100.0
Students	24.7	8.8	16.8	71.9	85.7	77.2	0.0	3.3	2.0	3.4	2.2	4.0	100.0
Academic Programs	28.8	22.8	32.4	57.6	71.9	64.9	3.0	3.5	--	10.6	1.8	2.7	100.0
All Subjects	33.0	20.9	21.6	39.2	46.7	46.7	0.4	2.3	2.0	27.4	30.1	29.6	100.0

colleges, generally dealt with personnel (48.8 percent) and administration (24.4 percent).

Third, each major subject area is affected differently by legislation intended for different educational or governmental units. Therefore, finance-related legislation is distributed fairly even among legislators' attempts to affect state bodies in general (40.4 percent), community colleges in particular (33.3 percent), and all postsecondary institutions (24.6 percent). Administrative-related legislation varied slightly in that bills intended for postsecondary eduction in general were predominant (42.8 percent) with those intended explicitly for community colleges (29.9 percent) and state bodies in general (27.3 percent) well-represented. The result of legislative concern with all personnel in the state system was significant (68.0 percent). Student related bills were overwhelmingly directed toward all postsecondary education (85.7 percent), and academic programs were significantly directed toward all postsecondary education (71.9 percent).

In summary, two general observations emerged from the 1981 data. First, in terms of legislative items community colleges are typically more affected by legislation directed to postsecondary education in general or to state government than by that which is exclusively to apply only to community colleges. Legislation addressed to all postsecondary education represents almost one-half of the reported legislation (46.7 percent). Second, state legislative perception of community colleges as separate institutions or part of other educational governmental groups differs according to the issue. Thus, in the realm of finance, community colleges are more often treated as elements of state government (40.4 percent) than as separate entitites (33.3 percent); when the issue is personnel, community colleges are basically treated as if encompassed among all state bodies (68.0 percent).

Review of the 1982 Findings

The 1982 data were categorized and analyzed in the same manner as the previous years' legislation. The initial analysis uses the legislative intent categories as the primary groupings for analysis and the seven area categories as the secondary units. Table 13 displays the results.

Several findings emerge from the data provided in Table 13. Column A consists of legislation that affects only community colleges. Legislation directed exclusively at community colleges most often is concerned with administrative issues (39.9 percent). Column B provides legislation intended for postsecondary education in general, but which still affects community colleges. This type of legislation is also aimed primarily at administration (36.3 percent) with students (21.1 percent) and financial issues (23.3 percent) following closely. Column C identifies legislation that has only indirect impact on community colleges but directly affects other levels of educational institutions. In this column, only nominal legislation is reported in 1982. Column D focuses on legislation intended for state bodies in general, but that also affects community colleges. As in columns A and B this type of legislation primarily affects community colleges regarding administrative matters (34.2 percent) with personnel administration a close second (33.8 percent) and finance third (27.4 percent).

In conclusion, the aforementioned analysis reveals three major points: (1) legislation explicitly directed toward community colleges generally occurs in the areas of administration and finance; (2) these colleges are affected by legislation intended for all postsecondary education especially when administration, finance, and students are the primary concerns; and (3) they are seriously affected by legislation intended for state government in general when administration, personnel, and finance are the foci.

A second approach to the legislative intent issue is to use the seven area categories as the principal analytical focus and the legislative intent categories as the second. Table 14 displays these data. Bills in the Physical Facilities and Institutional Growth areas this year were excluded because of their limited number.

The most signficant finding derived from Table 14 is that legislation intended for all postsecondary institutions, including community colleges, is the dominant category (46.7 percent). This is followed by legislation intended for state bodies in general (29.6 percent) with legislation exclusively considered for community colleges third (21.7 percent). Thus, as in 1981, slightly over 76 percent of the legislation affecting community colleges is not drafted with them as the major focus.

Table 14 also provides the basis for other findings. Financed-related legislation that affects the community college is a reflection of three perspectives of intent. Of interest is the legislators' attempts to affect all postsecondary institutions primarily (43.9 percent). In contrast, their attempt to affect community colleges only pertains in 22.4 percent of the legislative actions examined.

The distribution of administrative-related legislation is quite like that for finance-related legislation. Here, legislation intended for all postsecondary education is predominant (46.5 percent), with administrative-related legislation explicitly intended for state bodies in general second (27.8 percent), and that for community colleges third (23.6 percent).

Personnel-related legislation differs significantly from the aforementioned patterns. The major percentage of bills affecting community college personnel is a result of legislative concern with all personnel employed by state governments (59.9 percent), legislation is far less a result of legislatures' concern with postsecondary education in general (25.0 percent), or community colleges only (13.6 percent).

Students and Academic Programs are the final two area categories analyzed. The data here revealed that community college students are overwhelmingly affected by legislation intended for all postsecondary education students (77.2 percent), and that Academic Programs also are primarily affected by legislation intended for all postsecondary education (64.9 percent). Of interest is the increase over the last three years in academic programs affected by legislation intended for community colleges, from 10.0 percent in 1980, to 22.8 percent in 1981, and 32.4 percent in 1982. The key role being played by two-year programs as the United States enters more fully into the era of high technology is becoming more apparent.

In summary, two general observations emerge from the 1982 data reviewed above. First, in terms of numbers of legislative items, community colleges are typically more affected by legislation directed to postsecondary education in general or to state governments than by that which is exclusively to apply only to community colleges. Legislation addressed to all postsecondary education represents almost

one-half of the reported legislation (46.7 percent). Second, state legislative perception of community colleges as separate institutions or part of other educational and governmental groups differs according to the issue. Thus, in the realm of finance, community colleges are more often treated as elements of postsecondary institutions (43.9 percent) and elements of state government (32.7 percent) than as separate entities (22.4 percent); when the issue is personnel, community colleges are basically treated as if encompassed among all state bodies. Something to watch, however, is the steadily increasing emphasis on community colleges as separate entities concerning academic programs.

Comparison of the 1978, 1981, and 1982 Findings

The study of legislative intent has now been addressed for five consecutive years. This provides the basis for a comparison to determine where patterns and changes emerge (see Tables 15 and 16). A number of observations comparing the base year, 1978, with the two most recent years, 1981-82, are salient. First, legislation intended for community colleges only has continued to be predominant in the administration area (31.8 percent, 38.5 percent, and 39.9 percent). Second, legislation intended for postsecondary education in general--reviewed in Column B--indicates that since 1978, the most frequently addressed area has been students (30.1 percent and 38.5 percent). However, in 1982 the major area has changed to Administration. Third, Column D--legislation intended for state government in general--reflects continued attention to personnel issues although administrative concerns have pulled slightly ahead.

The data reported in Table 16 reflect a slight shift in the pattern of legislation reported in 1982 as compared to that reported in 1981. For example, in 1981, financial legislation intended for state bodies in general is the most numerous. However, in 1982, the largest portion of finance legislation (43.9 percent) is directed toward all state postsecondary institutions. Also, there is a slight shift in the distribution of legislation related to administration. In 1982, there is a decline in the amount of this legislation directed only to community colleges while there is a comparable increase in the amount of

administrative-related legislation for all postsecondary institutions. Personnel issues show an increase in legislation directed toward community colleges and postsecondary institutions and a decrease for that directed toward bodies in general. There is an increase in the amount of student-related legislation intended for community colleges only and a decrease in the amount of legislation intended for all postsecondary education. A noteworthy change is also seen with academic programs increasing with legislation intended for community colleges and decreasing for that intended for all postsecondary institutions.

A comparison of the data from 1978, 1981, and 1982, indicates a slight shift in the distribution of legislation among legislative intent categories (see final row of Table 16). In 1982, as in 1978 and 1981, legislation intended for postsecondary education is predominant. Second, there has been a decline from 1978-1981 in the percentage of legislation intended for community colleges only (33 percent, and 20.9 percent, respectively) with a slight increase in 1982 (21.6 percent). Third, since 1978, there has been a marked increase in the amount of legislation devoted to postsecondary education in general (39.9 percent to 46.7 percent in 1981 and 1982). Finally, the percent of legislation intended for state bodies in general declined slightly from 1981 (30.1 percent) to 1982 (29.6 percent).

There appear to be two major trends in this particular aspect of examination of the legislation indentified from 1978, 1981, and 1982. The first is that there are certain substantive issues which emerge from year to year. Finance and administration issues surface from legislative concerns about any one of three scopes of coverage: community colleges, postsecondary education, and state government issues at large; personnel issues are treated as a state problem; and student issues emerge largely from a general postsecondary education perspective. Second, there is a trend to encompass community colleges as part of all postsecondary education, and to a lesser extent, as a part of general state operations. In the 1980 and 1981 reports the authors identified this as "emerging," in 1982 this is clearly established.

Conclusion

The evidence presented in this section of this report and covering the past five years emphasizes the larger political and postsecondary education environment within which community colleges function. Our review of the intent of legislative proposals describes scope of inclusion of community colleges in a larger policy-framing environment. Those providing leadership to the two-year college must be aware of the wide-ranging sources of concerns that lead legislators to take action which has a final affect on the institutions. They are well advised to keep aware of the legislators' view of the two-year institution as not only a separate constituency, clientele, or sphere of responsibility, but also as component elements operating within education and postsecondary education more broadly defined as well as state government in a total public enterprise.

V

PROJECTED TOP-RANKING LEGISLATIVE ISSUES FOR 1983

In this year's companion survey state directors were asked to identify three top-ranking issues expected to receive serious and special attention in the 1983 legislative sessions. They were furthermore asked to include the nature of the subject and why the legislative interest would be on it.

Officials in a total of forty-five jurisdictions (83.3 percent) provided responses. (See Table 17 for a complete listing of respondees.) The survey question was interpreted in two distinct manners. One group answered by providing the issues most critical to the community college system. The other group interpreted the question more broadly and included other statewide issues to be faced by the legislature. Although this no doubt colors the response analysis, the results are nonetheless of interest and value to the field. A national pulse can be felt for the "hot" issues (in particular issues affecting the community college system) expected to surface in the 1983 legislative sessions.

Among the many issues identified by the field, six broad and general categories have emerged. These categories are: finance, postsecondary educational institutions, students, higher education administration, personnel, and general government.

An overview of the responses indicates that financial issues were by far the most common ones to the survey question. Of the 128 issues suggested by the state directors, 58 of these (45.3 percent) were financial. Of even greater significance is the fact that forty-one of the forty-five reporting jurisdictions (91.1 percent) presented financial matters among the issues expected to receive top attention from the 1983 legislative sessions; financial duress, now endemic, is expected to persist. During the last three years, financial legislation has been on the increase. The topical analysis of the 1982 legislation (See Chapter II) has shown a tremendous increase in financial issues over the 1981 legislation (326.6 percent!). This intense concern with fiscal policy continues to be reflected in the survey response for the

Table 17

JURISDICTIONS RESPONDING TO SURVEY QUESTION

ID#	Jurisdiction	Response
1	Alabama	X
2	Alaska	X
3	Arizona	X
4	Arkansas	X
5	California	X
6	Colorado	X
7	Connecticut	X
8	Delaware	X
9	Florida	X
10	Georgia	
11	Hawaii	X
12	Idaho	X
13	Illinois	X
14	Indiana	X
15	Iowa	
16	Kansas	X
17	Kentucky	X
18	Louisiana	X
19	Maine	X
20	Maryland	X
21	Massachusetts	X
22	Michigan	X
23	Minnesota	X
24	Mississippi	X
25	Missouri	X
26	Montana	
27	Nebraska	X
28	Nevada	X
29	New Hampshire	X
30	New Jersey	X
31	New Mexico	X
32	New York	X
33	North Carolina	
34	North Dakota	
35	Ohio	X
36	Oklahoma	X
37	Oregon	X
38	Pennsylvania	X
39	Rhode Island	X
40	South Carolina	X
41	South Dakota	X
42	Tennessee	X
43	Texas	X
44	Utah	X
45	Vermont	
46	Virginia	X
47	Washington	X
48	West Virginia	X
49	Wisconsin	X
50	Wyoming	X
51	District of Columbia	X
52	Guam	
53	Puerto Rico	
54	Virgin Islands	
	TOTALS	45

1983 sessions. We can certainly expect another great influx of fiscally related legislation in 1983.

Another significant pattern developed in the postsecondary educational institutions category. Here, 32 of the 128 issues (25.0 percent) were assigned to this category. Over half the reporting jurisdictions (55.6 percent) reported issues of this type. Within this category, 9 (28.1 percent) of the issues were concerned with the development of high technology programs in efforts to stimulate economic development and recovery.

A third point of interest concerns the projected legislative interest in students. More than one-fourth (26.7 percent) of the jurisdictions (twelve) submitted student issues as priorities for the 1983 legislative sessions. Of the 128 issues, 13 of them (10.1 percent) were student related.

The three outstanding categories (higher education administration, personnel, and general government) comprise only 15 of the 128 issues (11.7 percent).

The remainder of this chapter will analyze each of the six categories in more detail. (See Table 18 for the number of states with projected legislative issues per category and Table 19 for the number of projected issues per category.)

Finance

One State Director responded to the survey question by stating that "finance, finance, finance" would be the major concern of the state's 1983 legislative session. The preponderance of concern with fiscal matters was found in forty-one of the forty-five reporting jurisdictions (91.1 percent). Money problems are a top priority throughout the country. The depressed state of the 1982 national economy has meant reductions in federal funding. Serious competition among other sectors of the government for support is underway. Pressures to improve highway and bridge maintenance as well as their new construction reportedly has created an even greater demand on limited alternate funding.

With many newly elected governors and legislators, the 1982 economic policies have been in a flux. Appropriations have been cut and

Table 18

NUMBER AND PERCENT OF JURISDICTIONS BY CATEGORY OF ISSUES IDENTIFIED

Category of Issues	Number of Jurisdictions (N=45)	Percent Of Total
Finance	41	91.1
Postsecondary Educational Institutions	25	55.6
Students	12	26.7
Higher Education Administration	9	20.0
Personnel	7	15.6
General Government	4	8.9

Table 19

NUMBER AND PERCENT OF ITEMS BY CATEGORY OF ISSUES IDENTIFIED

Category of Issues	Number of Issues	Percent Of Total
Finance	58	45.3
Postsecondary Educational Institutions	32	25.0
Students	13	10.1
Higher Education Administration	11	8.6
Personnel	7	5.5
General Government	7	5.5
TOTAL	128	100.0

freezes imposed. The pressure on governments to meet rising unemployment compensation costs as well as to contribute to job creation has also burdened the limited amounts of available funding. Taxation has been a major theme. With rampant unemployment, tax revenues in many states are not meeting projections. One director said that the political attractiveness of raising taxes in states with a high percentage of the workforce unemployed is somewhat akin to being "the guest of honor at a firing squad." Innovative funding must be sought to insure quality education, enrollment levels, faculty and personnel needs. Many of the forecasted legislative concerns reported by the state directors are devoted to this theme.

Within the financial category, seven subgroups have been identified and are presented in Table 20. These are: general funding, taxation, fiscal procedures, bonding, capital projects, formula budgeting, and banking. A total of 62.1 percent (thirty-six of the fifty-eight financial issues) are of a general funding nature. In second place, issues of taxation representing ten of the fifty-eight themes (17.2 percent). The remaining twelve issues are divided among the other five subgroups. These include: fiscal procedures (three issues, 5.2 percent); bonding (three issues, 5.2 percent); capital projects (three issues, 5.2 percent); formula budgeting (two issues, 3.4 percent); and banking (one issue, 1.7 percent).

Postsecondary Educational Institutions

The second most prevalent category was that of postsecondary educational institutions. Here, 32 of the 128 issues were represented (25.0 percent) with entries found in twenty-five of the forty-five reporting jurisdictions (55.6 percent).

This comprehensive category contains thirteen subgroups. Of these subgrouping the most noteworthy are the development of high technology and the mission and function of institutions. The other eleven subgroups contain from one to three entries each. Table 21 lists the subgroups.

Within the category, the most prevalent issue was high technology. Several states find that they must change their employment base and high

Table 20

NUMBER AND PERCENT OF ISSUES WITHIN SUBGROUP TOPICS IDENTIFIED IN GENERAL AREA OF FINANCE

Subgroup Topic	Number of Items Items	Percent Of Total
General Funding	36	62.0
Taxes	10	17.2
Fiscal Procedures	3	5.2
Bonding	3	5.2
Capital Projects	3	5.2
Formula Budgeting	2	3.4
Banking	1	1.7
TOTAL	58	100.0

Table 21

NUMBER AND PERCENT OF ITEMS WITHIN SUBGROUP TOPICS IDENTIFIED IN GENERAL AREA OF POSTSECONDARY EDUCATIONAL INSTITUTIONS

Subgroup Topics	Number of Issue Items	Percent Of Total
High Technology Development	9	28.1
Mission and Function of Institutions	4	12.5
Responsibility for Program Approval	3	9.4
Program Quality	3	9.4
Program Accessibility	3	9.4
Accreditation and Certification	2	6.3
Mergers	2	6.3
Program Expansion	1	3.1
New Institutions	1	3.1
Name Changes	1	3.1
Medical Schools	1	3.1
Enrollment Declines	1	3.1
New Track and Field Team	1	3.1
TOTAL	32	100.0

technology is a potential solution. New compacts between business leaders, institutions of higher education, and state and local governments are being formed to pool resources and energies to achieve economic renewal. Higher education is seen as a vital resource in this effort. By welcoming and responding to new leadership initiatives and the private sector, education can help to make these initiatives successful. Many states are busily preparing for the intense industrial competition in the years ahead. Individual institutions throughout the nation are creating partnerships of great promise with industries to share knowledge and applied research in new fields of technology. This concept, for example, has emerged in Pennsylvania with the Ben Franklin Partnership concept and in Ohio with a proposal to establish the Ohio Business, Education, and Government Alliance as well as in several other states indicating economic development as a priority for the 1983 legislative sessions.

In an effort to stimulate economic development, high technology programs appear significant in nine of the forty-five jurisdictions (20.0 percent). Nine of the thirty-two issues within the category reflect this. The need to develop high technology educational programs was found in the states of Colorado and Connecticut. Missouri seeks training for new and expanding businesses. Both Ohio and New Jersey are looking for participation in higher education by high technology and business as well as the establishment of business/industry extension services in efforts to revitalize the economy. Pennsylvania will work to establish high technology centers, while Washington and the District of Columbia seek to develop furture technical jobs at community colleges to provide future job security.

Three jurisdictions (6.7 percent) and four issues (12.5 percent) were concerned with the mission and function of postsecondary institutions. Oregon will seek to establish the place of the community colleges in economic development as well as define the mission of two segments of postsecondary education. Nebraska and California are concerned with the role of technical institutions.

A rising concern at the state level for better oversight of academic programs is also evident. The need to clarify the responsibility for program approval has surfaced in the three

Table 22

NUMBER AND PERCENT OF ITEMS WITHIN SUBGROUP TOPICS IDENTIFIED IN GERNARAL AREA OF STUDENTS

Subgroup Topics	Number of Issue Items	Percent Of Total
Student Aid	7	53.8
Tuition	6	46.2
TOTAL	13	100.0

Table 23

NUMBER AND PERCENT OF ITEMS WITHIN SUBGROUP TOPICS IDENTIFIED IN GENERAL AREA OF HIGHER EDUCATION ADMINISTRATION

Subgroup Topics	Number of Issue Items	Percent Of Total
Governing Bodies	9	81.8
Sunset Law Recommendations	1	9.1
Cooperation	1	9.1
TOTAL	11	100.0

jurisdictions of Arkansas, Florida, and Colorado (6.7 percent). Maintaining program quality with limited and shrinking resources is an issue in Michigan, Mississippi, and South Dakota. Program accessibility was a concern in Florida and Michigan. Florida's particular interest is in limited access versus open door policies as well as in curtailing enrollment growth.

Two possible centers of concern over institutional merger situations were found. One such possibility is in Arkansas with debate on the organization, control, and mergers of various institutions. The second such potential merger is in Minnesota with likely school reorganizations and closings reported.

As was anticipated, a wide array of issues was noted by individual states. Indiana is expected to expand two-year programs to assist with the state's economic development. A new community college may be proposed in Santa Fe, New Mexico. New Mexico is also planning to change the name of some junior colleges to community college. West Virginia is expected to ponder its ability to continue to fund three medical schools, and Rhode Island plans to review establishment of a new track and field team at the Community College of Rhode Island.

Students

"Students" was the third most popular category with twelve states (26.7 percent) listing these issues as top legislative priorities for 1983 with 10.1 percent of all issues submitted reflecting student concerns (thirteen themes). Of the student issues, 53.8 percent (seven issues) were concerned with student aid programs and 46.2 percent (six issues) with the raising or lowering of tuition. (See Table 22.)

Higher Education Administration

The fourth category, higher education administration, contains entries from nine states (20.0 percent). Within this category are three subgroups: governing bodies; sunset law recommendations; and, interinstitutional cooperation. (See Table 23.)

Nine of the eleven issues (81.8 percent) relate to governing bodies. Hawaii may review means of implementing the internal management of the University of Hawaii by its Board of Regents. Mississippi is

expected to seek a clarification of the authority of the new State Board of Education and the new State Vocational-Technical Board as well as that of local boards. In Ohio, administrative reorganization is expected to be an issue associated with some effort to create a single cabinet level agency with full responsibility for all education (K through higher education). Massachusetts looks to further amendments of the laws related to the newly created Board of Regents. Tennessee may move the vocational technical institutions from the State Board of Education to the State Board of Regents. Wisconsin may seek to define the role of the VTAE in the state's economic development. Louisiana's administration is expected to work to enhance racial integration within its institutions of higher education.[1] Colorado may define the powers of a new commission to regulate and distribute resources as well as determine the representatives to the Commisson on Higher Education from the two-year sector.

Within the last two subgroups, New Hampshire is expected to work through the sunset committee recommendations concerning institutional futures and Wisconsin may seek to expand cooperation between the University system, the K through 12 system and the VTAE system.

Personnel

In the topical analysis of the 1982 legislation, we noted that 15.1 percent of the legislation received was personnel related. The state directors made the same point in this survey. Reports from 15.6 percent of the jurisdictions (seven states) included personnel issues among the top-ranking ones for the 1983 legislative sessions. However, only 5.5 percent of the total issues received (seven themes) were of a personnel nature.

Four subgroups were defined within the personnel category. These were: collective bargaining; salary increases; career redirection for early retirement; and, civil service. (See Table 24.) Three states have

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[1]See Chapter VI for detailed information on Louisiana's out of court settlement concerning racial integration of institutions of higher education.

Table 24

NUMBER AND PERCENT OF ITEMS IDENTIFIED WITHIN SUBGROUP TOPICS IN GENERAL AREA OF PERSONNEL

Subgroup Topics	Number of Issue Items	Percent Of Total
Collective Bargaining	3	42.8
Salary Increases	2	28.6
Career Redirection for Early Retirement	1	14.3
Civil Service	1	14.3
TOTAL	7	100.0

proposed issues concerning collective bargaining.[1] Connecticut anticipates concern about the exclusion of intermittent part-time workers from collective bargaining. Washington may seek to provide collective bargaining opportunities to higher education personnel while Illinois will deal with general collective bargaining issues.

General Government

The last major category, general government, contains entries from four jurisdictions (8.9 percent) including seven issues (5.5 percent). This very broad category contains seven subgroups with one entry in each of these. (See Table 25.) Arkansas is expected to be concerned with general government structural and organizational issues. South Dakota is expected to develop common intrastate data software, and North Carolina may face a stalemate over the establishment of an Appeals Court and plans for debate on the legislative committee deemed unconstitutional which was set up to review all Federal funds coming into the state. The District of Columbia sees possible attention to educational implications of the increasing crime and decreasing resources in combating it; rising unemployment and, the shortage of available, affordable public housing.

Conclusion

Two observations seem appropriate to end this review of anticipated concerns of the upcoming 1983 legislative sessions; they are interrelated. One is that the general national recession and public concern about the economy is generating a persistent worry about financial resources needed to operate community colleges. The other is that public policy leaders are expected to "pull out the stops" to try to get or keep the economies in their states moving, and in this connection, a common hope is attached to "high technology" business and

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[1]For additional developments concerning collective bargaining, the reader is urged to turn to Chapter VI, 1981-2982 Court Decisions Affecting Community Colleges," in particular, the cases of Leon W. Knight v. Minnesota Community College Faculty Association, and, the Community College of Philadelphia v. the Pennsylvania Labor Relations Board.

Table 25

NUMBER AND PERCENT OF ITEMS IDENTIFIED WITHIN SUBGROUP TOPICS IN GENERAL AREA OF GENERAL GOVERNMENT

Subgroup Topics	Number of Issue Items	Percent Of Total
Governmental Structure and Organizational Issues	1	14.28
Common Intrastate Data Software	1	14.28
State Appeals Court	1	14.28
Legislative Renew Committee	1	14.28
Crime	1	14.28
Unemployment	1	14.28
Affordable Housing	1	14.28
TOTAL	7	100.0

industrial development. We will watch carefully the 1983 sessions in the state legislatures to learn if what are now reported as hope for a brighter future through that line of new economic effort turns out to be more than simple political talk.

VI

1981-1982 COURT DECISIONS AFFECTING COMMUNITY COLLEGES

In an effort to provide a greater comprehensive understanding of current happenings substantively related to state legislative issues affecting community colleges throughout the country, the 1982 legislative summary includes a presentation and analysis of court cases decided between July 1, 1981 and June 30, 1982 of importance to the field. Eight cases have been provided by the following states: Illinois, Louisiana, Maryland, Minnesota, Nevada, Pennsyvania, Washington, and Wyoming. These cases are concerned with the issues listed below:

- -- Racial integration of institutions of higher education,
- -- Exclusive collective bargaining representation and exchange of views committees,
- -- Collective bargaining rights of part-time faculty members,
- -- Faculty reductions in force during financial emergencies,
- -- Mandatory retirement,
- -- Use of Federal mineral royalty funds to retire state bonds for education construction programs,
- -- Tuition reimbursement for dropped courses, and
- -- Granting in-state residency (with tuition reductions) to certain nonimmigrant aliens.

In Chapter Two, the Topical Analysis of State Legislation, we noted the preponderance of issues concerned with finance and administration. The survey results of chief executive officers presented in Chapter V projected an overwhelming preoccupation with financial matters for the 1983 legislative sessions.

The eight court decisions presented here, add yet another interesting dimension to the overview of activities influencing community colleges. Unlike the legislative analysis or survey results, the majority of the court decisions were not focused upon fiscal and administrative matters, but on personnel issues.

Of the eight cases submitted, five of them (62.5 percent) dealt with personnel, two (25 percent) argued issues dealing with students, two others (25 percent) involved financial matters, and one case (12.5 percent) was of an administrative nature.

These four major categories of personnel, students, finance, and administration head sections which contain brief analyses of each relevant court case.

Personnel

Racial Integration of Institutions of Higher Education (Louisiana)

U.S.A. vs. State of Louisiana, et al.

An out of court settlement between the State of Louisiana and the U.S. Department of Justice was made. In the complaint, it was alleged that the State of Louisiana (and its agents exercising management and control of public colleges and universities) established and has maintained a racially dual system of public higher education in violation of the Fourteenth Amendment and Title VI, and that the State failed to develop and implement detailed plans which would "promise realistically and promptly to eliminate all vestiges of a dual system of higher education within the State." The State denied all the allegations and asserted that public institutions of higher education in the state were in full compliance within the Fourteenth Amendment and Title VI. Furthermore, Louisiana stated that the state has maintained a nonracial open admissions policy and nonracial employment policies and has taken further action to comply with the letter and spirit of the law. The parties reached an out of court agreement and waived the entry of findings of fact and conclusions of law. A consent decree was signed, and Louisiana is currently concerned with the immediate implementation of this policy.

Exclusive Collective Bargaining Representation and Exchange of Views Committees (Minnesota)

Leon W. Knight, et al., vs. Minnesota Community College Faculty Association, et al.

In this case, a group of faculty members from the Minnesota Community Colleges challenged the constitutionality of the Minnesota Public Employee Labor Relations Act (MPELRA) as applied in the community colleges.

Their contention was two-fold. The first area in question was whether the Minnesota Community College Faculty Association (MCCFA) could act as an exclusive representative under MPELRA. The plaintiffs argued that because the MCCFA was a private organization, it held an impermissible power under MPELRA to make "economic laws" and its sovereign function constituted an impermissible delegation of state sovereignty. The second issue was whether the meet and confer provision of the MPELRA was valid as applied. A specific objection was that the MCCFA alone and in conjunction with its affiliates constituted a quasi-political action organization, and that the compulsory fair share fees therefore resulted in a forced association with a political party.

In response to the first contention, the court ruled that the State of Minnesota had not impermissibly delegated its sovereign power. In response to the objection to fair share charges, the court ruled that "Minnesota may provide for exclusive representation by an employee association in the public sector and may require that nonmembers of the association financially support its collective bargaining effort through a fair share fee." The court ruled also that no constitutional infirmity rose merely because the employee association was a private organization.

Responding to the second contention, the court held that public sector unions may collect compulsory fair share fees not withstanding the "political character of public bargaining, so long as the fees are applied to collective bargaining, contract administration and grievance adjustment purposes." It held that political activity unrelated to collectve bargaining is not a significant part of the MCCFA's total activity.

In its order for judgment, the court stated that there were constitutional infringements caused by the "meet and confer" process in the community colleges. The Minnesota State Board of Community Colleges (MSBCC) and MCCFA equally shared liability as they negotiated aspects of

the present structure in violation of the plaintiffs' rights. The plaintiffs received declaratory and injunctive relief.

Collective Bargaining of Part-time Faculty Members (Pennsylvania)

Community College of Philadelphia vs. Pennsylvania Labor Relations Board

A very important labor relations case (Community College of Philadelphia vs. Pennsylvania Labor Relations Board, et al.) was decided in Pennsylvania. By ruling not to hear an appeal, the courts ruled that part-time faculty (including guest lecturers and part-time instructors) in the Philadelphia Community College could establish a collective bargaining unit. It was stated that the part-time faculty did not have such a casual relationship with their employer so as to deny rights guaranteed under the Public Employee Relations Act to bargain collectively.

Faculty Reductions in Force During Financial Emergencies (Washington)

Washington Education Association, et al., vs. The State of Washington, et al.

The orginial action sought to invalidate a law establishing procedures for terminating community college faculty members following a declaration of a financial emergency. The Supreme Court held that the constitutional challenges to the law lacked merit, and the court denied the relief requested.

The litigation involved the passing of Substitute House Bill 782 which gave the state the power to lay off community college faculty during periods of financial emergency. In January of 1982, the State Board for Community College Education passed a resolution declaring a state of financial emergency within the community college system. The collective bargaining agreement at Skagit Valley College contained comprehensive criteria and procedures governing the dismissal of faculty members through a reduction in force necessitated by a financial emergency. Skagit Valley College abandoned the collectively bargained procedures and adopted the procedures for a reduction in force set forth in SHB 782. Three of the petitioners (tenured faculty) received letters of dismissal.

The fundamental dispute between petitioners and respondents concerned the nature of SHB 782. Petitioners clamed the new law drastically changed rights and process under existing laws and contracts. Respondents perceived SHB 782 as supplemental to those laws, providing a uniform and specified procedure for the dismissals due to reductions in force it addressed.

Among the five complaints made by the petitioners was one stating that the SHB 782 violated equal protection by treating community colleges differently from other universities within the system. Petitioners argue that there was no reasonable basis for distinguishing community college faculty from other university faculty. The respondents stated that a reasonable basis did exist in that community colleges have been treated separately within the statutory framework, and no other tenure provisions existed within the statutes addressing higher education.

The constitutionality of SHB 782 was upheld, and the court found that the bill was a reasonable legislative response to the existing community college tenure provisions and the current financial crisis. It provided a uniform reduction in force dismissal procedure in the event of financial emergency. The constitution did not require the legislature to provide uniform laws regarding tenure for all colleges.

The act establishes a uniform procedure for use only under emergency circumstances. The procedure merely utilizes a hearing examiner who renders "findings, conclusions of law and a recommended decision" for consideration by the board of trustees, who make the final decision on reduction in force actions. The act states that the only issue to be determined shall be whether under the applicable policies, rules, or collective bargaining agreement the particular faculty member or members advised of severance are the proper ones to be terminated.

The procedure can only be triggered by: (1) budget reductions ordered by the governor, (2) appropriation reductions ordered by the legislature, or (3) a declaration of financial emergency by the State Board for Community College Education. The affected faculty members are granted a right to participate in the selection of the hearing examiner.

The ruling of the court does not abrogate due process by allowing two year colleges to bypass the normal rules when financial emergencies require reductions in force.

Mandatory Retirement (Nevada)

Board of Regents of the University of Nevada vs. Oakley.

In the state of Nevada a Supreme Court decision concerned the validity of a University of Nevada policy of mandatory retirement of faculty members when they reach a certain age. The Board of Regents contended that the Board's unique constitutional status gave it virtual autonomy and thus immunity from the state's nondiscrimination policy established by the legislature. The court ruled that the Board is not free from all legislative regulation, rather it held that the legislature may not invade the constitutional powers of the Board through legislation which directly interferes with essential functions of the University. Since the law questioned simply prescribes duties concerning fair treatment of its personnel, it in no apparent way interfered with the Board's essential management and control of the university. The case was decided in favor of the plaintiff.

Students

In-State Residency to Certain Nonimmigrant Aliens (Maryland)

Toll vs. Moreno

Another court case of national importance dealt with the granting of in-state residency to certain nonimmigrant aliens. The University of Maryland's policy of categorically denying domiciled nonimmigrant aliens who held G-4 visas (visas issued to nonimmigrant aliens who are officers or employees of certain international orgnizations and to members of their families) in-state status under which preferential treatment was given to domiciled citizens and immigrant alien students for purposes of tuition and fees was declared invlaid under the Supremacy Clause. The impact of this decision has extended to all public institutions in Maryland. All forty-nine other states have joined Maryland in an amicus brief.

Racial Integration of Institutions of Higher Education (Louisiana)

U.S.A. vs. State of Louisiana, et al.

(See the case discussion under Personnel.)

Finance

Use of Federal Royal Mineral Funds to Retire State Bonds for Educational Construction Programs (Wyoming)

A court case of major significance was decided in 1981 for the state of Wyoming. This case allowed the use of federal mineral royalty funds to retire state bonds for a $100,000,000 state and educational construction program. The decision permitted the colleges to initiate construction in the amount of approximately twenty-five million dollars.

Tuition Reimbursement for Dropped Courses (Illinois)

Board of Trustees of Community College District #526 vs. The Board of Education of Jacksonville Unit School

The Illinois Community College Act provided for the establishment of taxpaying community college districts. Students residing outside of a particular community college district could attend a community college outside their district upon receiving authorization from their home board of education and providing the home district would pay the students' "tuition."

A policy was adopted by Lincoln Land reducing its tuition charges to home districts for courses which were dropped by students prior to completion.

The Board of Trustees of Community College District #526 therefore requested the sum of $40,544.28 from the Jacksonville District #117. This amount was calculated to be the amount owed from fall of 1979 to and including the fall of 1980 from tuition charges payed for students who did not complete the courses.

The Jacksonville Unit School District refused to pay; however, it was ordered to reimburse the Board of Trustees of Community College District #526 fully and pay the court costs.

A counter claim sought an accounting and recovery of unspecified sums from School District No. 117, Morgan County and was denied.

Administration

Racial Integration of Institutions of Higher Education (Louisiana)

U.S.A. vs. State of Louisiana, et al.

(See the case discussion under Personnel.)

Conclusion

The reported legal activity presented in this chapter is intended to augment the findings of this report of 1982 legislative analysis (Chapters II and III) and executive forecast of 1983 legislative concerns (Chapter IV). That there clearly is a close relationship between the subjects with which statutes of the states and federal governments and the issues that can be taken to the courts is an obvious conclusion from the very nature of our governmental structure. The notable fact coming out of the review reported above, however, is that issues which become matters of court action tend to concentrate on relatively few much more specific areas of legal concern as opposed to the broadly ranging concerns reflected in state legislation as reported in the earlier chapters. The court cases focus on personnel and student issues more than any others.

VII

CONCLUSIONS AND RELATED COMMENTS

State legislation is best understood when seen as part of an evolving fabric of public policy. Much of the value of the present study is that it adds another datum, another year, to the time series over which that evolution can be examined. In this last chapter we turn to an assessment of the importance and implications of what is happening in the area of state legislation; our primary perspective in that this analysis is that of the two-colleges, but we feel that the observations we make in this chapter also bear heavy significance to the whole of postsecondary education in the country.

Following the line of inquiry for previous reports in this series, the 1982 survey of state legislation affecting community, junior, and two-year technical colleges attempts to provide the reader with a description and analysis of issues that received legislative attention throughout the United States. Concerns evidenced by the legislatures in 1982 suggest that in this final discussion particular attention needs to center on administrative, financial, personnel, and student issues. Although the range of legislative activity covers all aspects of community college operations, the four areas just named are those most heavily affected. Legislation on which our judgments rest ranges from bills directed exclusively to the two-year colleges to those that affect all sections of postsecondary education or state government in general. This years report when related to the preceding seven in the series provides a useful longitudinal perspective; the 100 percent coverage of the states of the nationa allows us to offer interstate, regional, and national observations, as well as to make note of important matters in specific states. Others can view items reported in the more specific context context of their particular institutions and states.

Conclusions

Several general conclusions emerge from the legislation reviewed in this 1982 report. We will comment briefly on twelve and relate to them

a final observation. First, the amount of state legislation has increased quite substantially. This trend has been apparent since the annual report was resumed in 1975, however, the incremental increases have been more pronounced over the last two years. The number of issues presented in the 1982 report has increased 54 percent over that of 1981 and 74.5 percent over that of 1980. The average number of topics received per state has grown from eleven in 1980 and 1981 to seventeen in 1982.

A second conclusion is that state legislative officials are evidencing an interest going much beyond the provision of fiscal support. This is evident in the emergence of administrative issues as the number one priority surpassing the former predominant category of finance. A comparison of the legislation distribution among the seven major content areas and twenty-six subject categories indicates increased legislative attention to the areas of finance, administration, and institutional growth over 1981 as well as a decrease in academic procedures, students, personnel and physical facilities. In 1982, the administration-related legislation has surged ahead and regained its priority as the number one category of legislative activity. Although finance has been surpassed by administration-related issues as the most predominant area of activity, a noteworthy increase in the number of such finance-related issues was observed in 1982. The number of these finance issues practically doubled. Another significant change in the distribution among the seven major areas is the dramatic drop in the number of bills related to academic programs. In the wake of renewed interest and vigor in curriculum expansion spurred by the advent of the era of high technology, more activity in this area was expected.

Third, most state legislatures still provide increased appropriations in absolute revenue to community, junior, and two-year technical colleges. Since 1979, the average operating appropriations has risen from 8.2 percent (1979), 8.6 percent (1980), 11.9 percent (1981) to 13.0 percent in 1982. No declines in appropriations were reported this year. But readers need to be cautioned against some serious misinterpretations that could be made of the simple fact that dollar appropriations seem still on the increase. Before that observation can be fully and meaningfully interpreted, answers to other

questions need to be examined carefully--questions such as: How do levels of appropriations relate to trends in externally generated costs like costs of energy, changes in inflation rates, or governmental reporting requirements? What impact does change reflected in appropriation levels show on access of students to community college programs? To quality of program offered? To scope of comprehensiveness of programs? The research needed to provide answers to such questions is totally beyond the scope of this project. Our hope is that the insights that can be provided will serve not only to inform cautiously, but also, to excite the call for better and deeper answers to larger and critically important questions.

The fourth conclusion concerns the subcategory of financial procedures where procedural issues continue to be the principle focus of legislative attention. More institutional flexibility and more funds for institutions have taken second and third places respectively. There was a dramatic increase in the degree of legislation giving more institutional flexibility, increasing the state's control over financial matters, and providing more funds for institutions and procedural matters. Smaller increases were seen in tax structures and policies, less institutional flexibility, more state control, and auditing. At first glance, these findings appear to be internally inconsistent, even paradoxical. When understood as the results of separate lines of activity, steming from uncorrellated and diverse centers of authority and with various kinds of intent behind the actions expressed, however, the fact that state legislation of seemingly contrary impacts can all be on the increase becomes more understandable. Put simply, it appears that the legislatures are becoming more active and the welter of activity is becoming a forum for advancing many intents. Few if any of the states are showing a clear consensus on future directions for community colleges in the actions they are taking in legislation.

Fifth, almost one-third of the legislation reviewed fell into the administrative-related category. As in the 1981 report, bills in the subcategories of administrative operations and the process of policy formation were most frequently reported. Several themes dominated the diversified bills. Among these were: board increases, replacements and regulations, open meeting laws, rule-making, confidentiality and

disclosure, joint commissions, needs of the handicapped, teacher preparation, quality of education, commemorations and commendations.

A sixth conclusion relates to personnel and student issues and notes that actions in these areas also carry strong overtones of fiscal concern. The personnel issues were widely varied but reflected some common themes such as retirement, salaries, seniority, liability, public disclosure, discrimination, and legal representation. There was a significant drop in the number of tuition and fee related bills and corresponding rise in student aid matters. Over half the student issues dealt with student aid. Unlike 1981, when the principal student theme was the student's role in institutional decision-making, the majority of the 1982 issues were related to loan repayment, discrimination and equal opportunity, residency, postsecondary education for secondary students, tuition increases, tuition waivers, and grants. Against this observation, the fact that four states have created special "loan authorities" to assist students in financing loans and giving the agencies authority to issue revenue bonds is of special import.

Seventh, as in former years, numerous special interest groups have appeared. Among these groups are senior citizens, veterans, part-time students, and children of policemen and firemen. The evidence continues to build, therefore, that the future directions of community colleges may well reflect the results of political action for programs and services expressed by special interest groups of many kinds.

The eighth conclusion, one concerning administrative legislation and institutional autonomy, was that for the third consecutive year, procedural bills were the most frequently cited type of legislation with potential local impact. A slight increase was noted in the percentage of erosive and supportive legislation over that of 1981. And, legislative language concerning the administrative-related bills continue to be more generally mandatory.

Ninth, three main points were revealed in the area of legislative intent and the impact of state legislation on community colleges. These are: (1) legislation explicitly directed toward community colleges generally occurs in the areas of administsration and finance; (2) these colleges are affected by legislation intended for all postsecondary education especially when administration, finance, and students are the

primary concern; and, (3) they are seriously affected by legislation intended for state government in general when adminstration, personnel, and finance are the foci. We repeat the point made in last year's report, state legislative perceptions of community colleges as separate institutions part of other educational and governmental groups differs according to the issue. Thus, in the realm of finance, community colleges are more often treated as elements of postsecondary institutions and elements of state government than as separate entities. When the issue is personnel, community colleges are basically treated as encompassed among all state bodies. Legislation intended for all postsecondary institutions, including community colleges, is the dominant category. This is followed by legislation intended for state bodies in general with legislation exclusively considered for community colleges third. Thus, as in 1981, slightly over 76 percent of the legislation affecting community colleges is directed elsewhere: they are more frequently affected by legislation directed to postsecondary education in general or to state governments than by that which is drafted to apply only to community colleges.

A tenth conclusion is that state public policy makers see two-year colleges of all types as important instruments for sustaining a state's economic strength. Many states are following in the path set so clearly for the community colleges of North Carolina a few years ago, calling on the two-year colleges to emphasize their employee education programs and to strengthen their ties to business and industry. The call now seems directed particularly to programs to retrain displaced workers and to those believed to attract new high technology enterprises.

Eleventh, enactments in 1982 were enough in number and observed in a sufficient array of jurisdictions to suggest that state-level policy concern about an effective coordination of postsecondary education is still present and real. Legislatures are calling for special studies of education and their concerns focus on interinstitutional and intersystem relationships, program review and coordination, and clarification of institutional or system missions and purpose as well as ones, related to costs. The general tone of support for more interinstitutional and intersystem cooperation that is expressed in the enactments of several states creating special "joint commissions" or similar

structures to facilitate and oversee cooperative operations is worth watching.

A twelfth conclusion is that under the pressure now put on them to find more resources, public policy makers may be moving in directions quite contrary to traditional practices in public finance. Four states reported new legislative interest in reexamining the bases on which property and other taxable resources are provided exemption from such levy. The consequences of such new directions can affect seriously both public and private postsecondary institutions.

Finally, by joining the insights gained from developing this report with those coming out of the latest of a companion study which periodically gathers and analyzes state patterns of financing two-year colleges (Wattenbarger, forthcoming), we offer an observation with both optimistic and pessimistic possibilities for interpretation. Optimistically, the steady notice given by legislatures to the worth of two-year colleges, particularly to help promote economic strength and the fact that, however grudgingly, they tend to meet financial support requirements year after year, can support belief that effort to get better financial support will be rewarded. A concrete example is Pennsylvania's 1982 enactment of revisions in the formula for support of community colleges raising the state's obligation in several key respects. On the pessimistic side, however, is Wattenbarger's finding that states are tending, by use of expenditure caps, enrollment ceilings, on other proscriptions, to match in actual appropriated dollars to the amounts called for by the formulas in the statutes. This gap between practice and policy in the financing of public two-year colleges cannot be ignored without peril to their effectiveness in public service.

Closing Comment

The conclusions presented here present a composite view of legislative activity in 1982 affecting the two-year college as a unique institution, as a component of postsecondary education, and as an element of general state government body. While the principal legislative foci are administrative and financial matters, students, personnel, and academic issues are also affected. With continued

assistance from the National Council of State Directors, the on-going survey of state legislation will monitor future developments which influence the goals of the community college and the means provided to achieve them. This report provides a national advantage point from which to view legislative developments affecting particular institutions in given states. It shows that community, junior, and two-year technical colleges as well as postsecondary education in general are of constant interest to public policy-makers and therefore will continue to be affected by legislative actions. This is not to be viewed as a condition negative to the cause of community college educators; rather it should be seen as a call for them to understand better the nature of the interests legislators attach to these institutions and, moreover, a call to help the legislators understand more validly and completely what these institutions are all about. There is much discussion in the field today about the "changing mission" of community, junior, and two-year technical colleges. However, that mission is being shaped and formed constantly and state legislators are instrumental in that process. As community, junior, and two-year technical colleges continue to find their place in public service, there is no group more important to have understand and accept the process and the result than the lawmakers of the nation.

Taken in their entirety and in their full, interrelated complexity, the contents of this volume suggest a real vitality of public policy interest in two-year colleges of all types. Throughout the nation state legislators are taking steadily more interest in these institutions and the role they play in improvement of the quality of social and economic life in the localities they serve. The volume's contents show, furthermore, that both the educational mission and <u>modus operandi</u> of these institutions are in a state of progression and modification, adapting to the exigencies and changes of society. The intent, and the hope, which underlies production of this series of annual reviews of state legislation and related evidences of public policies which guide community, junior, and two-year technical colleges is twofold: it is, first, to provide a useful reference and analytical service to those who, at all levels of organizational responsibility, seek to give leadership to shaping the future of these institutions; but, second, and

of equal importance it seeks to help build a meaningful description of the continuing, yet changing, saga of the community college movement in America--a movement of seemingly ever increasing value to the nation and its people.

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APPENDIX A

ABSTRACTS OF STATE LEGISLATION
RELATING TO POSTSECONDARY EDUCATION

1982 State Legislation Sessions

Arrangement

The items of legislation listed here include both those enacted and those which were not or have not been enacted. The legislative identification format used is that provided by the respondents. Chapters or Acts are followed by Senate and House bills and Resolutions.

ALABAMA (1)

Legislation Enacted

1-1 Creation of Postsecondary Department of Education (Act 82-486) Provides authority for the State Board of Education to appoint a chancellor to serve as the chief executive officer of the board to assist the board in carrying out its authority and responsibility to operate and manage the junior colleges and trade schools and Athens College; creates a department of postsecondary education, provides that the board shall set the salary of its chief executive officers; establishes the authority of the board and chancellor regarding the junior colleges and trade schools and the Office of Chancellor; and provides authority for administrative actions necessary to govern the junior colleges and trade schools.

ALASKA (2)

Legislation Enacted

2-1 Appropriation (Chapter 101) Appropriates $44,918,900 to the community colleges for operating costs; and $1,252,000 to the community colleges for capital expenditures.

2-2 Appropriation (Chapter 141) Appropriates $700,000 to Chukchi Community College for operating costs and $125,000 to Mat-Su Community College for capital expenses.

2-3 Student Member Postsecondary Education Commission (SB 767) Provides for the appointment of a student on the Alaska Commission on Postsecondary Education.

ARIZONA (3)

Legislation Enacted

3-1 Use of Arbitration (Chapter 79) Requires the use of arbitration in certain state government contracts.

3-2 Bond Interest Rates (Chapter 106) Allows the State Board of Directors for Community Colleges of Arizona to set the interest rate on revenue bonds as opposed to the rate being set statutorily.

3-3 Audits (Chapter 110) Prescribes that the Auditor General's Office shall audit community college district accounts and transactions.

3-4 Public Works (Chapter 128) Prescribes types of public works which qualify for local preferences.

3-5 Deferred Compensation Plans (Chapter 133) Allows employees to participate in deferred compensation plans approved by the governing board.

3-6 Public Contracts (Chapter 160) Relates to public contracts in restraint of trade.

3-7 Annual Report (Chapter 166) Requires that the annual report of the State Board of Directors for Community Colleges of Arizona be filed with the Governor on November 1 of each year rather than October 1.

3-8 Tuition Waivers (Chapter 172) Authorizes the State Board of Directors for Community Colleges of Arizona to adopt rules and regulations for the purpose of allowing tuition and fees to be waived for faculty and dependents and classified employees who are taking courses that are job related.

3-9 Private Enterprise Law and Sales Tax (Chapter 173) Exempts skill centers operated by community college districts from the private enterprise law, as well as clarifies language regarding intergovernmental agreements. In addition, community college students using a validated meal ticket will no longer have to pay sales tax.

3-10 Accounting System (Chapter 196) Requires that the Auditor General in conjunction with the State Board of Directors for Community Colleges of Arizona prescribe a uniform system of accounting for use by all community college districts. The Auditor General is also required to determine the accounting systems, methods and procedures to be used by community college districts.

3-11 Equalization Aid (Chapter 217) Extends equalization aid for Eastern Arizona College to June 1985 (a three year extension).

3-12 Student Classification (Chapter 229) Classifies students for tuition purposes at both the universities and community colleges.

3-13 Expenditure Limits (Chapter 264) Prescribes the expenditure limit of a county in which a new community college district is located as well as makes other corrections.

3-14 Open Meeting Law (Chapter 278) Amends the open meeting law relative to minutes, agendas, executive sessions and violations.

3-15 Appropriation (Chapter 284) Appropriates $42,362,100 to the State Board of Directors for Community Colleges.

3-16 Halt to College Districts (Chapter 289) Provides for a moratorium on forming community college districts until June 30, 1984. (Moratorium is retroactive to January 1, 1981.)

3-17 School Budgets (Chapter 291) Provides school budgets with community colleges amended into it.

3-18 Health and Accident Insurance (Chapter 303) Relates to State employees and increases the State's share of health and accident coverage for full-time employees and their dependents.

3-19 Procurement (Chapter 311) Relates to state agencies which procure goods and services from a nongovernmental entity on account.

3-20 State Vocational Education Board Authority (Chapter 332) Revises the authority of the state vocational education board (the same as the State Board of Education) and in conjunction with the State Board of Directors for Community Colleges of Arizona new provisions, such as an annual state plan, and a comprehensive five-year state plan, etc., are required. The new vocational board is required to submit at least 15 percent of the federal vocational monies received to the State Board of Directors for Community Colleges of Arizona for vocational and technical programs at the community colleges.

The State Community College Board is authorized to conduct pilot projects for implementing cooperative agreements between community college districts and other vocational and technical education and employment training providers. While the Maricopa and Pima College district governing boards are required to prepare an annual county plan for making vocational and technical education programs and opportunities available the other community college governing boards are not required to do so.

3-21 Enlarging State Board of Education (SCR 10003) Proposes to amend the Arizona Constitution by increasing the size of the State Board of Education, which is also the State Vocational Board from nine members to fifteen members. Of the new members to be added, a community college president is required.

Legislation Not Passed

3-22 Vocational Education (SCR 1003) Would have provided a constitutional amendment regarding vocational education.

3-23 Agency Reviews (SB 1639) Would have provided a legislative review of agency rules.

3-24 Building Contracts (SB 1314) Would have legislated public building contracts.

3-25 Bonds (SB 1113) Would have required voter approval for bonds required prior to bidding.

3-26 Moratorium on Hiring (SB 1003) Would have ordered a moratorium on hiring state employees which includes employees of the community colleges and universities.

3-27 Strikes (SCR 1012) Would have prohibited strikes by public employees.

3-28 Building Standards (HB 20007) Would have given building standards for public buildings.

3-29 Disclosure of Information (HB 2118) Would have protected the disclosure of information by public employees.

3-30 Bonds (HB 2251) Would have changed definition of bond project to include classrooms.

3-31 Force Accounts (HB 2364) Would have increased force accounts from $5,000 to $10,000.

3-32 Community College Districts (HB 2429) Would have provided procedures for organizing community college districts. (A moratorium was placed on the formaton of community college districts - S.B. 1046 became Chapter 289.)

ARKANSAS (4)

No Relevant Legislation Identified

CALIFORNIA (5)

5-1 Study Tuition for Community Colleges (Chapter 23) Sets up study of impact of tuition on students, and colleges, should the tuition-free state instruction cease, to the extent that the level of school funding permits.

5-2 Refugees (Chapter 75) Exempts refugees from nonresident tuition at community colleges provided the person is enrolled for six units or less, has resided in California for a year, or is enrolled in any vocational education class or English as a second language class.

5-3 Legal Counsel (Chapter 112) Exemption continued for State Department of Education; use of the Attorney General is not required.

5-4 Federal Student Aid (Chapter 125) Requests each Congressman to maintain Federal aid to students in colleges and accelerate loan collection. Requires efforts to collect delinquent loans.

5-5 Teach Basic Economic Facts (Chapter 134) Requests all educational agencies to teach an understanding of the American economic system and economic principles.

5-6 Contributions to Schools: Computers (Chapter 142) Would memorialize Congress of the U.S. to support efforts to encourage corporations to make charitable contributions of computers or other sophisticated technological equipment by allowing corporations greater tax credits and deductions for the contributions.

5-7 Education Law: Permissive Education Code (Chapter 251) Deletes prescriptive provisions of education code thereby permitting school districts and community college districts to exercise authority with respect to matters affected. Reenacts law permitting governing boards of community colleges to issue revenue bonds.

5-8 Local Agency Borrowing (Chapter 274) Includes schools in expanding the right to borrow in advance of revenue (including federal funds).

5-9 Emergency Aid to Community Colleges (Chapter 343) Made minor changes in pay-back procedures of funds advanced to community colleges in emergency situations.

5-10 Santa Monica Schools/Colleges (Chapter 366) Authorizes an election, November, 1982, to decide separation of Santa Monica Community College from school district.

5-11 Federal Block Grants: Local Control (Chapter 566) Declares the state policy to maximize local control related to federal funds.

5-12 Community College Personnel Commissions (Chapter 572) Strengthens merit systems as applied to community colleges. Adds to duties in present law. Excludes certain duties because of collective bargaining.

5-13 Payment to a Community College (Chapter 724) Addresses ex post facto shift of adult education classes from Chico Unified to Butte Community College. Transfers funds from one account to the other.

5-14 School Construction Planning (Chapter 735) Authorizes a mechanical or electrical engineer to be responsible for plans for school buildings where such work is normally performed by persons on the site. Amendment adds civil engineer. Requires certification by state that new schools comply with Field Act.

5-15 Unemployment--Disability Insurance (Chapter 742) Permits any local agency (schools) to become an unemployment disability insured employer and withhold employee contributions.

5-16 Administration, Governing Bodies (Chapter 847) Declares that the name "California Community Colleges" is the property of the state and can only be used with permission of the Board of Governors.

5-17 Community College Student Travel Pay (Chapter 885) Provides up to $4 per calendar day for students enrolled full-time in credit classes in community colleges provided they reside more than 90 miles away. Amended to permit such payment for portions of a semester.

5-18 Student Aid Commission (Chapter 895) Requires the Governor to appoint student members in a specified manner. Adds new regulations governing student aid. Specifies that the Treasurer serve as Chairperson of California Facilities Authority.

5-19 Workers' Compensation (Chapter 922) Increases the benfits of the permanent totally disabled, temporary disabled, partial permanent disabled and deletes $10,000 limitation where willful misconduct of employer exists. Increases the maximum death benefit.

5-20 Community College Finance Bill (Chapter 937) Includes Timber Yield Tax revenues in calculating community college apportionments for 1981-82 and 1982-83 fiscal years. Allows community college to contract with Chancellor for administrative services for collection of student loans.

5-21 Schools May Have Police Departments (Chapter 945) Permits governing boards to establish a school district police department. Such police would be peace officers. The same for community colleges. Full police power is denied, but would be peace officers as defined.

5-22 Welfare Recipients in Community Colleges (Chapter 1029) Requires the Chancellor to set guidelines for aiding welfare recipients to succeed in community colleges. Appropriates $250,000 for 1982-83.

5-23 Deletes Timber Reserve Fund Tax (Chapter 1058) Changes the allocation of the Timber Reserve Fund Tax as it relates to schools.

5-24 Community College Student Residency (Chapter 1070) Provides new rules for residency and fees in community colleges to begin in 1983-84 school year.

5-25 Equal Opportunity in Education (Chapter 1117) Sets policy of equal opportunity for all persons, regardless of sex, prohibits contrary policies in the state schools (exempts the University of California).

5-26 State Agencies: Rule Making Calendar (Chapter 1211) Requires state agencies to set an annual calendar setting forth plans for new rule making in advance. Requires direct communication to legislators whose bills relate to this action.

5-27 Workers Compensation (Chapter 1241) Related to the classification of risks and premium rates.

5-28 Deletes a Deduction Authority (Chapter 1270) Deletes authority to deduct from employee wages funds to purchase U.S. savings bonds. Revises list of other payroll deductions. Requires standards relating to discriminatory practices. Permits electronic fund transfer of retirees and employee wages.

5-29 Trustee Areas (Chapter 1272) Requires boundary adjustment of school trustee boundaries where they exist, in line with decennial census figures.

5-30 Validates School Boundaries (Chapter 1305) Validates all local agency boundaries.

5-31 Unemployment Insurance: Benefits (Chapter 1385) Provides for additional weeks of unemployment insurance if layoff is due to plant closure, or substantial reduction in labor force. Guarantees $8 million for this program out of unemployment fund.

5-32 Community College Teacher Released to Serve Union (Chapter 1389) Enables teachers to get leave to serve a union, and get retirement credit.

5-33 Local Improvements (Chapter 1451) Enacts the Mello-Roos Community Facilities Act of 1982. Authorizes the collecton of fees for various public capital expenditures including schools.

5-34 Institute for Computer Technology (Chapter 1528) Sets up the institute for computer technology to conduct programs in training computer technology for K-12 pupils or adults.

5-35 Tax Deductions for Corporations (Chapter 1559) Allows larger tax deductions for corporations, if technological property is contributed to schools and used directly in the education of pupils. Also provides tax deductions for contributions to colleges and universities for use in research.

5-36 Prison-Based Education Programs (Chapter 27) Requests that the Chancellor's Office, as well as other public educational institutions, including teachers and instructors who provide prison-based educational services for the Department of Corrections serve in their appointments to an advisory committee on prison-based education.

5-37 Property Taxation (Chapter 45) Requires community colleges to report to the State Controller property taxes collected in excess of the amount prescribed in Proposition 13.

5-38 Public Employees' Retirement System Benefits (Chapter 46) Terminates existing contracts with regard to school employers, i.e., the community colleges, which are contracting entities with public agencies. Makes changes in various provisions of the Public Employees' Retirement Law, establishes school members as a separate member, classification, and allows the Board of Administration of the Public Employees' Retirement System to change the rates of the state's employer contributions, and prescribe various conditions and limitations upon the use of various funds and accounts.

5-39 Field Act (Chapter 88) Permits the use of specified buildings in the Allan Hancock Joint Community College District until June 30, 1983 notwithstanding the Field Act.

5-40 Barstow CCD: Emergency Apportionment (Chapter 97) Authorizes a loan of $500,000 from Section B of the State School Fund in the 1981-82 fiscal year to Barstow Community College District. The loan is to be repaid with interest over a three year period.

5-41 Fiscal Affairs (Chapter 115) Contains various economics to help balance the 1981-82 State Budget. Relating to the community colleges, county auditors are required to notify the Chancellor's Office the amount each district is to receive from the collection of the unsecured roll property tax for the remainder of the 1981-82 fiscal year.

5-42 Special Elections Petitions (Chapter 163) Makes inaccessable to the public signatures to a petition calling for special elections to school and community college districts.

5-43 Student Loan Repayment (Chapter 173) Asks that Congress implements a program whereby the applicable student loan authority make a determination as to whether a person who is in default of a student loan is financially capable of repaying the loan. If found incapable, the student loan authority could require that person to perform community work in his or her related field of study for which credit would be given towards the amount owed.

5-44 Employees Retraining and Placement (Chapter 226) Requies the Employment Development Department, in conjunction with the Chancellor of the California Community Colleges, the State Department of Education, the Department of Economic and Business Development, and the State Department of Industrial Relations, to prepare a plan for retraining displaced workers.

5-45 Fiscal Affairs (Chapter 327) Contains many provisions of the Budget Act of 1982. Apportions funds for planning grants and pilot projects desinged to increase the accessibility of postsecondary educational opportunities to low-income high school students and assist low-income community college students transferring to four-year institutions.

5-46 School Districts Community College Districts Health and Welfare Benefits (Chapter 623) Allows any combination of school or community college districts under the jurisdiction of the same county superintendent of schools to join together to provide for the payment of health and welfare benefits.

5-47 Public Education Classified Employees (Chapter 851) Allows community college districts to reduce from full to part-time the workload of classified employees while maintaining retirement contributions and service credit as if on a full-time basis.

5-48 Commission on Peace Officer Standards and Training (Chapter 973) Includes community college districts among those authorized to maintain minimum peace officer standards.

5-49 Community College Districts; Trustee Areas; Average Daily Attendance (Chapter 980) Authorizes the Peralta Community College District to equalize the population of its trustee areas, and makes technical revisions in the computation of ADA to take into account courses offered under a flexible calendar.

5-50 Earthquake Safety (Chapter 1143) Allows Mendocino and Lake Tahoe Community College Districts to use specified buildings for specified period of time, notwithstanding the Field Act.

5-51 Public Education Employer-Employee Relations; Organizational Security (Chapter 1148) Requires school and community college districts to deduct service fees from the salaries of certified employees, as required by organizational security arrangements.

5-52 School Districts and Community College Districts; Organization and Reorganization; Finance (Chapter 1214) Repeals consolidates and simplifies laws regarding the creation of community college districts and changes district boundaries. Provides that the Board of Governors shall review petitions only following an analysis by county committees on school district organization. It revises the priority for general apportionments to community college districts if General Fund Apportionments and local property taxes amount to less than prescribed by law.

5-53 Youth; Foster Parent Training (Chapter 1276) Establishes a Foster Children and Parent Training Fund with monies reimbursed to counties and state by legally responsible parents or persons of minors who are deemed wards of the court. The fund will provide for the reestablishment of the Foster Parent training programs in the community colleges and Foster Youth Care Counseling Service at the K-12 level.

5-54 Public Social Services Programs (Chapter 1329) Repeals the Employment Services Board within the Employment Development Department, and creates a State Job Training Council. Provides that each county shall submit job services plans to the Employment Development Department. Each plan would be developed by private industry councils, which would review for effectiveness and duplication every new vocational or occupational training program offered by community colleges. Such programs would be terminated within one year unless specified genuine standards are met.

5-55 Community Colleges; Special Taxes (Chapter 1509) Allows community college boards to raise special taxes only upon a two-thirds vote of the electorate. It also limits the purposes for which such taxes could be raised to facilities and community services, generally, and provides that state revenues will not be reduced as a result of revenues generated from special taxes.

5-56 Schools; Classified Employees (Chapter 1514) Requires personnel directors of a community college district to be free of bias and requires personnel commissions to give both the exclusive bargaining representative and the college employer reasonable notice of the proposed reclassification plan.

5-57 Industrial Innovation (Chapter 1527) Establishes within the Governor's Office a California Commission on industrial innovation. It will consist of the Governor and 24 other members, two of whom will represent the community college. This commission will conduct research and provide advice regarding strategies for expanding the state's economy and employment rate.

5-58 Fiscal Affairs (Chapter 1638) Requires the Department of Finance to provide the Chancellor's Office with specific information regarding expenditure limitations. The Chancellor's Office is then required to furnish this information to community college districts.

COLORADO (6)

Legislation Enacted

6-1 Private Occupational Schools--Eligibility for Student Loan Guarantee Program (SB 79) Changes a requirement for a private occupational school to qualify as an institution of higher education under the state student loan guarantee program by providing that the minimum length of instructional programs offered be 300 clock hours rather than six months.

6-2 University of Colorado--Sale or Lease of Property at the Auraria Higher Education Center (SB 103) Authorizes the regents of the University of Colorado to convey its property at the Auraria Higher Education Center by sale or exchange. Imposes conditions for such sale or exchange.

6-3 Composition of Certain Boards and Agencies (SB 124) Amends various provisions relating to boards, commissions, and other agencies which require membership on such agencies to reflect the number of congressional districts in the state. Specifies that a vacancy on a board or commission occurs whenever a member of a board or commission moves out of the congressional district from which he was appointed. Provides for the political party composition of boards and commissions having members appointed from congressional districts.

Changes the schedule for electing members to the state board of education in order to accommodate the change in number and boundaries of congressional districts.

6-4 Off-campus Resident Instruction Programs (HB 1237) Authorizes the governing board of each state-supported institution of higher education to provide off campus instruction in areas reviewed and approved by the Colorado Commission on Higher Education. Provides that the tuition level for students enrolled in off-campus instruction programs shall not be less than the level for on-campus instruction. Requires the Commission to recommend the total number of full-time equivalent students to be supported by state funds and the amount of funds necessary for such support. Requires the Commission to review and approve geographic regions for institution academic programs which have a statewide mission, to resolve conflicts resulting from the designation of geographic regions for on-campus and off-campus instruction, and to establish written guidelines and standards for the selection of program and course offerings so that conflicts may be prevented.

CONNECTICUT (7)

Legislation Enacted

7-1 Purchase of Library Media and Equipment (PA 82-37) Extends for two more years the pilot program whereby preaudit controls are removed from constituent unit purchases of library media and equipment. Authorizes constituent boards of trustees to designate from funds appropriated for equipment purposes during fiscal years 1983 and 1984, an amount to be spent for the purchase of library media and equipment. Within the limitations of these funds, boards of trustees' policies and legislative guidelines, expenditures are under the sole jurisdiction of the chief executive officer of each institution and are not subject to approval by any other state agency.

7-2 Cost Per Unit Standards for the Electrical Portion of Agency Budget Estimates (PA 82-195) Provides that the Secretary of the Office of Policy and Management set guidelines for unit costs for fuel oil, electricity, gas and water usage by state agencies. Such guidelines are to be used by all agencies in the preparation of estimates of expenditure requirements for the next fiscal year.

7-3 Repeals Exemption from Certification for a Hazardous Waste Facility and Concerns the Appointments to the Connecticut Siting Council (PA 82-209) Repeals legislation which allowed the University of Connecticut to develop and operate a hazardous waste disposal facility on its main campus without requiring certification from the Hazardous Waste Facility Siting Board, thus placing the development of the facility under the jurisdiction of the Siting Board.

7-4 Board of Governors--Higher Education and the Economy (PA 82-218) Replaces the twenty-one member Board of Higher Education with an eleven member lay Board of Governors. Clearly establishes the new board as the statewide policy-making agency for the state's higher education system and creates the Department of Higher Education as the new Board's administrative arm. A twenty-two member standing committee, with a six member executive committee, is established to advise the Board of Governors. Increases the authority of the Board of Governors, especially in areas of planning, budget development and statewide policy. Gives new powers including merging or closing institutions; providing for the initiation, consolodation or termination of academic programs; and evaluation of institutional effectiveness.

7-5 Coordination and Planning for Educational Technology (PA 82-266) Requires that the State Board of Education and the Board of Higher Education, with the advice and assistance of the State Library Board and the Connecticut Educational Telecommunications Corporation, form a joint committee to assist both agencies to coordinate effectively and utilize efficiently educational technology for Connecticut students. The committee must develop a long-range plan and related recommendations for the coordination of educational technology for consideration by the two boards.

7-6 Higher Education Supplemental Loan Authority (PA 82-313) Establishes an independent loan authority to raise loan capital through the sale of tax exempt bonds. Participating institutions of higher education may borrow from the authority and use the funds for low interest educational loans to enrolled students. Default assurance is provided by letters of credit or other collateral provided by the participating institutions.

7-7 Master Plan for Career and Vocational Education (PA 82-331) Requires that the State Board of Education, in consultation with appropriate agencies and individuals, prepares a five-year master plan for career and vocational education to be submitted to the General Assembly on or before January 1, 1984 and updated triannually thereafter.

7-8 Leasing of Land to Private Developers by the State Colleges (PA82-342) Authorizes the Boards of Trustees of the State Colleges and the University of Connecticut, with the approval of the appropriate state agencies, to lease land or buildings under their control to private developers for rental housing and commercial establishments. Adequate liability insurance must be maintained by the leasees.

7-9 Installment of Smoke Detection Devices and Use of Pyrotechnics (PA 82-344) Eliminates the standard for smoke detection in dormitories and requires compliance with the Connecticut Fire Safety Code Standards which are more appropriate for dormitories.

7-10 New England Higher Education Compact (PA 82-373) Repeals Connecticut's July, 1982 withdrawal from the New England Higher Education Compact and its executive agency, the New England Board of Higher Education (NEBHE). Provides that the out-of-state students enrolled in the state's public institutions under the Regional Student Program pay in-state tuition plus a 25 percent surcharge to produce revenue to offset the state's cost to remain a member of the Compact and NEBHE.

7-11 New Budget Requirements Task Force Report Concerning Program Effectiveness (PA 82-386) Extends, by one year, until January 15, 1983, the report of a special task force studying the process of appropriating state funds and the manner in which the effectiveness and the efficiency of state programs and services are measured; phases in the use of program budgeting with all state agencies falling under the program budgeting provisions, programs to be funded are supported by performance measures by which program effectiveness can be measured.

7-12 Teacher Preparation Courses at the State Colleges (PA 82-391) Authorizes the Board of Trustees of the State Colleges to determine at which campuses curricula for teacher preparation will be offered.

7-13 Special Education Studies and Use of Federal Funds for State Vocational Education Programs (PA 82-409) Establishes a committee to review the state's efforts in providing special education and to evaluate the scope of state laws and regulations concerning special education. A study committee also is established to study problems of unemployment among handicapped adults as it relates to their inability to participate in or benefit from secondary and postsecondary vocational and career programs.

7-14 Part-time Employees and Collective Bargaining (PA 82-454) Expands the definition of "employee" for the purposes of the statutes concerning collective bargaining for state employees to include part-time employees who work less than twenty hours a week.

7-15 Tuition (P.A. 82-463) Extends the existing tuition waiver program to include more part-time students by allowing the constituent units to waive or remit tuition for full-time and part-time students who are Connecticut residents and are matriculated in a degree-granting program or enrolled in a precollegiate remedial course. The state colleges and the University of Connecticut may also waive or remit tuition for nonresident undergraduates as well. The total amount of tuition waived or remitted may not exceed an amount equial to 10 percent of the tuition revenue payable by the total number of students enrolled in these categories.

7-16 Information Transfer (PA 82-465) Requires that the administrative head of each budgeted agency submit to the Office of Policy and Management and the Joint Committee on Appropriations estimates of expenditure requirements on or before September 1 of each year rather than November 15. Requires that each budgeted agency transmit a copy of the agency's monthly financial status report to the Office of Fiscal Analysis.

7-17 Paier College of Art, Incorporated to Award Degrees (SA 82-5) Authorizes Paier College of Art to confer associate and baccalaureate degrees provided that the curriculum and cooperative arrangements with other institutions are approved by the Board of Higher Education.

7-18 Appropriations (SA 82-10) Appropriates $9,993,021 to the state technical colleges and $33,969,406 to the state regional community colleges.

7-19 Authorization of Bonds (SA 82-46) Authorizes self-liquidation bonds for capital improvements and other purposes; cancels prior authorizations.

7-20 Appropriations for the Day Care Center At South Central Community College (SA 82-54) Appropriates $20,000 to the Board of Trustees of the Regional Colleges for use by the South Central Community College day care center.

DELAWARE (8)

Legislation Enacted

8-1 Appropriations Act (S.B. 606) Appropriates $21,072,900 to the Delaware Technical and Community College.

8-2 Higher Education Supplemental Loan Authority (HB 725) Establishes a Higher Education Supplemental Loan Authority of nine members appointed by the Governor. The Authority has authorization to sell bonds for the purpose of making loans to students and parents for furthering education beyond the high school level. Such bonds sold by the Authority do not pledge the faith and credit of the state. Loans made are supplemental in nature and are not intended in any way to replace any existing loan program already in effect. Loans may be used for tuition fees, cost of room and board, transportation, books and supplies.

Legislation Not Enacted

8-3 Senior Citizen Tuition Waiver (SB 388) Would authorize tuition-free higher education for citizens 60 or older on a space-available basis at state-supported institutions. Those enrolling under this program would have to pay the cost of books, supplies, and laboratory or shop fees.

8-4 Program Qualifications (Senate Amendment 1 to SB 388) Would further define qualifications for the program by adding the words "and who are formal degree candidates."

8-5 Tuition-Senior Citizens (House Amendment 1 to SB 388) Would provide that ninety-five percent of the charges for tuition for senior citizens who participate in the Higher Education program shall be borne by the State of Delaware.

8-6 Tuition-Senior Citizens (House Amendment 2 to SB 388) Would provide that ninety-five percent of the charges for tuition for senior citizens who participate in the higher education program shall be borne by the State.

8-7 Public Officers Financial Disclosures (SB 386) This Act would require certain elected and appointed officials in all three branches of government to disclose the sources of outside income and identify financial interests. The Bill covers all members of the General Assembly, all elected State officials, all judges and their appointees, the Governor's staff except clerical and secretarial personnel, all gubernatorial appointees except those of a stricIty advisory nature, and all state employees whose compensation exceeds $25,000 a year. Failure to file the required information would be a Class B misdemeanor. Knowingly filing a false report would be a Class A misdemeanor.

8-8 Public Officials Financial Disclosures (Senate Amendment 10 to SB 386) Would make it clear that public officials who are guarantors of loans for which they receive no monetary proceeds are not required to report such loans. Further, it clarifies that principal only shall be considered in valuing a loan.

8-9 Co-Lenders and Financial Disclosure (Senate Amendment 9 to SB 386) Would claifiy that public officers who are co-makers of loans primarily liable on the indebtedness along with another must report such loans.

8-10 Members Excluded from Disclosure (Senate Amendment 8 to SB 386) Would exclude members of local school boards from the disclosure provision of the bill

8-11 Included and Excluded Members from Disclosure (Senate Amendment 6 to SB 386) Would make it clear that members of authorities are covered and than entitites strictly advisory in nature are excluded, and to bring salaried employees and attorneys for the General Assembly under the provisions of the Act.

8-12 Reporting Loans (Senate Amendment 5 to SB 386) Would make it clear that public officers who are guarantors or co-makers of loans for which they have no primary responsibility are not required to report such loans. States that principal only shall be considered in valuing a loan.

8-13 Reporting Loans (Senate Amendment 40 to SB 386) Would include in the bill's provisions persons making less than $25,000 who may be in a position to spend or commit state monies. Would state that the $25,000 salary includes both general and special funds.

8-14 Reporting of Capital Gains (Senate Amendment 3 to SB 386) Would raise any capital gain required to be reported from $1,000 to $5,000.

8-15 Financial Disclosures (Senate Amendment 2 to SB 386) Would make it clear that all persons employed by or working for the Governor, or on his behalf, except clerical personnel, are to come under the provisions of SB 386.

8-16 Disclosure Exemptions (Senate Amendment 1 to SB 386) Would make it clear that members of Authorities are covered and that entitites strictly advisory in nature are excluded.

8-17 Renumeration for Suggestions (HB 100) Would provide for the granting of monetary awards for suggestions that result in the financial or economic benefit to the State.

8-18 Nursing Practice Act (House Substitute Number 1 to HB 365) Would revise the Nursing Practice Act to bring into alignment the practice of nursing and delivery of health care as it is taking place today. New definitions of professional nursing and practical nursing would more accurately describe the knowledge base necessary to give safe nursing care to the public and also reflect the current education and preparation of professional and practical nurses. The Board would be enlarged from seven to eight members to offer the consumer a voice at an effective, decision-making level. The responsibilities of the Board would be redefined. Provisions would be enlarged for enabling persons licensed under the previous law to be licensed under the new statute. An appproved nursing education program which plans major curriculum changes would be required to notify the Board prior to expected date of changes. Exceptions to nursing would be redefined. Sanctions on disciplinary proceedings would be

redefined by strengthening the grounds for disciplinary sanction, strengthening the disciplinary sanctions, and refining the disciplinary procedure which would safeguard the public and the licensee. The section dealing with penalties would be strengthened.

8-19 Work Study Program (HB 773) Would have created a partially State-subsidized employment program for college students as a financial aid mechanism which provides both needed financial assistance and job experience.

8-20 Use of National Test Scores (HB 778) Under this Act, when a college or university uses national test scores as one of its determinants for admittance, it would notify the firm which produces and/or administers the tests. The testing company, in turn, would file (with the Superintendent of Public Education) a 'disclosure statement' which sets forth the information required by the Act. The examination process would need to conform with certain standards promulgated by the Superintendent.

FLORIDA (9)

Legislation Enacted

9-1 Youth Art Symposium (SB 13-D) Requires the Department of Education to conduct annually the Florida Youth Art Symposium as a means of recognizing and rewarding those students, and their teachers, whose works of visual or creative arts have been showcased in the Youth Art Exhibit of the Florida State Fair. Provides $25,000 included in the 1982 Appropriations Act to cover the costs.

9-2 Sales Tax Exemption (SB 46) Amends the Florida State Tax Law to exempt the Florida Retired Educators Association and its local chapters from payment of state sales tax. Limits exemption to purchase of office supplies, equipment and publications.

9-3 Self-insurance Guaranty Association (SB 67) Creates a nonprofit corporation known as the "Florida Self-insurance Guaranty Association, Incorporated," and requires all individual self-insurers of workers' compensation other than public utilities and governmental entities to become members of the Association.

9-4 Shared Employment Program (SB 156) Requires the State Department of Administration to establish a "shared employment" program for all classifications of employees within the State Career Service System. Authorizes state agencies to divide full-time positions among two or more career part-time employees. Makes such employees eligible for all regular career service benefits on a pro-rate basis. Prohibits agencies from abolishing any filled position for the purpose of dividing the employment among part-time personnel without the consent of the incumbent in the position and restricts each agency from converting more than 10 percent of its positions to a shared employment basis.

9-5 Sale of Florida Atlantic University Property (SB 235) Authorizes the sale of land at the present Florida Atlantic University West Palm Beach Center, and allocates the proceeds for relocation of the Center to a new site on the North Campus of Palm Beach Junior College. Authorizes the donation of the remaining acres to the United Way of Palm Beach County for constructing a human services center.

9-6 Educational Benefits for MIAs (SB 293) Provides that the educational benefits guaranteed to children of Prisoners of War and those Missing in Action will continue only until such time as the parent is returned alive or his remains are recovered.

9-7 Unemployment Compensation, Mail Payments (SB 462) Removes the prohibition against making unemployment compensation payments by mail and authorizes the practice.

9-8 Code of Ethics (SB 597) Amends the Code of Ethics. Changes the local officer filing office from the Clerk of the Circuit Court to the Supervisor of Elections; expands the penalties section to include police censure, reprimand, and civil penalties not to exceed $5,000; changes from four to five the number of governor's appointees to the Ethics Commission.

9-9 Workers' Compensation for Vision Loss (SB 655) Provides that permanent disability resulting from loss of 80 percent or more of vision applies to either rather than both eyes of the employee. Increases amount of payment for which such an employee is entitled as a result of permanent disability by 500 percent. Increases maximum limits on payments for funeral expenses and compensation to dependents of an employee killed in a work related accident.

9-10 Wire Transfers and Inventory Requirements (SB 682) Establishes procedures for wire transfer of funds and the exclusion of property from inventory requirements.

9-11 Energy (SB 805) Creates a Conservation and Renewable Energy Construction Account for use in purchase and upgrade use of energy efficient equipment in schools, requiring all school facilities with hot water use of 1000 gallons daily to use solar hot water heating, prohibits the use of fossil fuel to heat swimming pools, with passive design and low energy features to be incorporated in all new construction.

9-12 Pari-Mutual Wagering (SB 832) Amends statutes concerned with pari-mutual wagering for certain categories of beneficiaries to include community colleges.

9-13 Commendations (SR 426) Commends Dr. Maxwell C. King, President of Brevard Community College, and Dr. Jerome P. Kneuper, President of Florida Institute of Technology, for enhancing the national and international recognition of Florida higher education and for their outstanding contributions to the profession of education.

9-14 Lobbying by Former State Officials (SJR 1035) A proposed amendment to the State Constitution prohibiting former legislators and statewide elected officers from representing other persons or entities for compensation before any state governmental body for a period of two years following vacation of office, unless they file full public disclosure of their financial interests.

9-15 State Apprenticeship Council (CSSB 75) Establishes a State Apprenticeship Council which is to serve in an advisory capacity to the Division of Labor of the Department of Labor and Employment Security. The Council will advise the Department on matters affecting apprenticeship programs, including related instruction and on-the-job training. Makes the Administrator of Industrial Education of the Division of Vocational Education a member of the Council.

9-16 Reports of Suspected Drug Use (CSSB 335) Exempts any school employee from any civil liability in reporting, to the proper school authority, any suspected unlawful uses, possessions, or sale of drugs by students.

9-17a Academic Scholars' Program/Joint Task Force on Teacher Quality
9-17b Improvement (CSSB 678, 970, and 483) Creates the Florida 9-17c Academic Scholars' Program as a means of recognizing and rewarding outstanding high school graduates who complete a rigorous and advanced program of prescribed academic studies. Makes a number of changes in the present scholarship funded through the Florida Academic Scholars' Fund. Establishes a Joint Executive and Legislative Task Force for Teacher Education Quality Improvement to develop a comprehensive plan for strengthening and upgrading teacher programs.

9-18 Health Requirements for Food Service Workers (CSSB 686) Prohibits any person suffering from a communicable disease considered hazardous to the public health from preparing or serving food or drink in a public food establishment, a state-owned or operated institution, a public school food service program, or a nonpublic school food service program.

9-19 Nursing Assistance Programs (CSSB 705) Adds district school boards, in addition to community colleges and universities, as eligible to enter into contracts to provide facilities for instruction in certification course for nursing assistance in nursing homes.

9-20 Board of Independent Colleges (CSSB 860) Makes technical changes in the law dealing with the duties and responsibilities of the State Board of Independent Colleges and Universities, and schools coming under the Board, with new provision prohibiting use by new nonpublic colleges of designation "college" or "university" without Board approval.

9-21 Sales Tax Increase (HB 2-D) Adds a fifth cent to the state sales tax and provides for distribution of the additional proceeds including amounts to fund general governmental activities--including support of public schools, community colleges, and universities. Deals with procedures for collecting and disbursing the additional tax, and with procedures to be followed by cities and counties in effecting property tax relief.

9-22 Appropriations (HB 3-D) Appropriates $296,336,540.

9-23 Appropriations (HB 4-D) Appropriates $35,426,441 for the renewing and remodeling of community education facilities.

9-24 Omnibus Bill (HB 16-D) Revises postsecondary sections of the Florida Statutes relating to community colleges and universities to: Change State Board of Education disapproval time of Board of Regents' proposed rules from 30 to 60 days; deletes the Board of Regents' authority to appoint presidential search committees that are exempted; amends the University of Florida Endowment Trust Fund for Eminent Scholars' language to include a New College Foundation; removes the requirement that the State Community College Coordinating Board concur in the appointment, suspension or dismissal of the Director of the Division of Community Colleges; authorizes community college district boards of trustees to eradicate salary discrimination and report the results to the State Community College Coordinating Board; repeals the reference to a 65 year old elderly enrollment on a space available basis in the community college calculations; clarifies that state tuition vouchers are not to be given to associate of arts students in state community colleges; amends several university provisions regarding the J. Hillis Miller Health Center and the Community Hospital Education programs; clarifies that educational facilities documentation approved by the Office of Educational Facilties shall not be changed by statutes enacted in the 1982 session; creates the Florida Hgher Education Loan Authority to provide financing higher education costs to students and families through encouraging loans through private capital investment; establishes a College Career Work Experience Program administered by the Department of Education.

9-25 Trespass on School Property (HB 21) Amends Florida Statutes by providing that anyone who enters a public school campus without authorization or invitation, and who has no lawful purpose for being there, commits a trespass and may be charged with a misdemeanor of the second degree, and one who refuses to leave after being directed to do so by the principal or his designee may be charged with a misdemeanor of the first degree.

9-26 Taxation Procedures (HB 21-D) Amends a number of sections dealing with the assessment, collection, and expending of "ad valorem" taxes.

9-27 Representation in Unemployment Compensation Proceedings (HB 151) Permits an employer or a claimant to be represented by a nonattorney in any administrative proceeding under the Unemployment Compensation Act.

9-28 Use of Apprentices on Public Construction Projects (HB 194) Removes the requirement that apprentices be used on public construction contracts, and expresses legislative intent that public agencies not be required to use apprentices on such projects. Prohibits the Divison of Labor of the Department of Labor and Employment Security from adopting rules or standards that would require the use of apprentices on public contracts. If a public agency voluntarily elects to utilize apprentices on a project, all laws governing the use of apprentices will be applicable to their employment.

9-29 Purchase of Additional Retirement Credit--FRS Elected State Officers' Class (HB 282) Permits an elected county officer (including elected superintendents and school board members), at time of retirement, to purchase additional retirement credit in the FRS Elected State Officers' Class for all prior creditable service as an officer within the purview of the class.

9-30 Confidentiality of Research Data (HB 372) Exempts certain data contained within university research projects from disclosure requirements of the Florida Public Records Law and states that upon request, a university, must disclose the title and the description of each research project, the name of the researcher, and the amount and source of funding for the project.

9-31 Sundown of Advisory Bodies (HB 449) Establishes a schedule for the "sundown" of a number of councils, commissions, and other bodies which serve in an advisory capacity to executive agencies. Requires each state agency to include, within its legislative budget request, detailed information on each committee, council or other body serving in an advisory capacity to the agency.

9-32 Student Financial Aid Trust Fund (HB 819) Permits the use of funds within the Student Financial Aid Trust Fund for student financial aid programs including, but not limited to, scholarships and grants for educational purposes.

9-33 Educational Programs in HRS Residential Facilities (CSHB 31) Amends the Florida Statutes to delete the requirement that the educational program at the Florida School for Boys at Okeechobee be operated by Indian River Community College; states it be operated by the Department of Education, either directly or through contracts with other public education agencies.

9-34 Sophomore Level Test/Admission Standards to Teacher Education Programs (CSCSHB 692) Requires that State Board Rules setting standards for admission to teacher education programs provide that 90 percent of those admitted to each program score at or above the 40th percentile on a nationally standardized admission

exam. Requires that a passing score on the state-prescribed sophomore level test will be required for admission of any student to the upper division instructional programs of the state university system. All community college students seeking Associate of Arts degrees and all students seeking admission to the upper division of the state university system will be required to take the test. Authorizes procedures for development and administration of the tests and related documents from the public records law, and provides an exemption for all state tests from the rule-making provisions of the Administrative Procedure Act.

9-35 International Education Programs (HR 960) Supports the importance of international education programs in Florida universities and community colleges.

9-36 Youth Art Month (HR 1159) Takes note of the enduring benefits derived from early childhood experiences with art activities, and proclaims the month of March as Youth Art Month. Urges all citizens to lend their support to the various art programs presented statewide by educational institutions and youth organizations.

Legislation Not Passed

9-37 Nonresident Tuition Fees/Florida Council for Hearing Impaired/ Correction of Hazardous Conditions (SB 68) Would have proposed a compilation of three independent legislative bills which were to be consolidated to repeal the existing discretionary stature on tuition fees for nonresidents and replace it requiring nonresident students who are not specifically exempted to pay a fee equal to the full cost of their educational program; define exempt classifications; take note of of the 750,000 deaf and hard of hearing citizens and establish the Florida Council for the Hearing Impaired to oversee all services which affect hearing impaired individuals, particularly in the areas of public service, health care, and educational opportunities;and suspend sections of statues which require state or local government agencies to correct conditions found to be hazardous to students who walk to school.

9-38 Administrative Procedure Act (SB 921) Would have proposed amendments to several sections of the Administrative Procedure Act, including some to apply to the State System of Education: would have required that each proposed rule be referred to the appropriate substantive committee in each house of the Legislature for review and comment as to compliance with legislative intent. Would have prohibited any agency (including a school board or community college) from adopting a rule on any topic unless the Legislature has passed an authorization statute relating to the specific subject matter covered by the rule.

GEORGIA (10)

Legislation Enacted

10-1 Medical Supervision (HB 1074) Amends Physician's Assistant Act to provide that physicians may supervise more than two physician's assistants while on call for a solo practitioner or as a member of a group practice setting (clinics, hospitals).

10-2 Investigation of Drug-Related Crimes (HB 1175) Amends laws relating to the use of wiretapping, eavesdropping and other surveillance devices by law enforcement officers; authorizes the use of such devices in investigating crimes involving importation or sale of controlled substances.

10-3 Employment Security Law (HB 1231) Amends employment Security Law so as to delete the national trigger for extended benefits as required by the Federal Unemployment Tax Act; removes obsolete dates, changes state trigger for extended benefits; changes methods for computing extended benefits.

10-4 Health-Care (HB 1274) Amends the law relating to Code Chapter 88 in regard to public health, so as to change provisions relating to examinations in emergency receiving facilities; changes provisions relating to restraints and abuses with respect to alcoholic, drug dependent or mentally ill persons.

10-5 Surnames (HB 1281) Amends Code Chapter 53-5 so as to permit a spouse to use certain surnames when the use of same is not with intent to defraud.

10-6 Claims Against the State (HB 1291) Amends the laws relating to claims against the state; authorizes the Claims Advisory Board to direct payment by a state department if the total amount of the claim is $500 or less.

10-7 Teachers' Retirement System (HB 1339) Amends Teachers' Retirement System law so as to change requirements relating to remission of employee and employer contributions by employers to the Board of Trustees.

10-8 Teachers' Retirement System (HB 1340) Amends Teachers' Retirement System law so as to change provisions relative to the calculation of rates of interest.

10-9 Teachers' Retirement System (HB 1342) Amends the Teachers' Retirement System law so as to provide that credit may be received for service rendered in schools operated by the Bureau of Indian Affairs of the United States Department of Interior.

10-10 Board for the Certification of Librarians (HB 1363) Amends the Act establishing a State Board for the Certification of Librarians; exempts from coverage libraries of the University System of Georgia.

10-11 Laboratories and Staffs (HB 1368) Amends laws providing for control and operation of clinical laboratories, blood banks, and tissue banks to provide that where it is now specified that a medical laboratory technician shall be a member of the committee, there may be substituted a medical laboratory technologist who has at least two years experience but who does not have more than 134 hours of college or university-level work.

10-12 Board of Landscape Architects (HB 1373) Amends laws relating to Georgia State Board of Landscape Architects to change the qualifications of landscape architects, effective November 1, 1982; clarifies the exemption in the act for landscape contractors; continues the Board until 1986.

10-13 Energy Research and Development Council (HB 1390) Amends laws related to State Office of Planning and Budget so as to provide for the creation of ten-member Georgia Energy Research and Development Council; provides that two members of same shall be the President of the University of Georgia or his designee, and the President of Georgia Tech or his designee; provides that the Council shall promote the research development of alternative renewable energy sources to enhance the energy independence of the state; provides that the Council shall assist departments and agencies of the state and units of the University System in the coordination of research and development activities.

10-14 Waste Management (HB 1391) Amends laws related to waste management so as to enact into law the Southeast Interstate Low-Level Radioactive Waste Management Compact; defines terms; provides for commission members to be appointed by the Governor of each state; establishes duties and powers of the commission; provides for development and operation of regional waste facilities; allows state to impose sanctions against persons for violation of compact provisions.

10-15 Professional Standards Commission (HB 1399) Amends Georgia Professional Standards Act to create a twenty-member Professional Standards Commission as an advisory body to the State Board of Education; provides for its powers, duties, and employees; provides that the Commission shall recommend to the State Board of Education Standards and Procedures for certifying educational personnel to practice in the public schools of Georgia, and to support and recommend functions and programs of preparation for the teaching profession.

10-16 Authorized Leaves (HB 1419) Amends the law authorizing leaves of absence for public employees who donate blood, so as to provide for additonal leaves of absence for public employees who donate blood platelets through the pheresis process.

10-17 Drugs (HB 1435) Amends laws related to manufacture, production, distribution, and use of drugs, so as to make additons to the list of dangerous drugs, and exempt other drugs from the list.

10-18 Workers' Compensation (HB 1464) Amends laws related to Workers' Compensation; changes maximum benefits for total disability from $115 per week to $161 per week; changes provisions governing temporary partial disability to provide for weekly benefits equal to two-thirds of the difference between the average weekly wage before the injury and the average weekly wage the employee is able to earn thereafter, for a period not to exceed 104 weeks from the date of injury; requires the board to review periodically cases in which income benefits for total disability are being paid.

10-19 Educators' Immunity From Civil Liability (HB 1508) Provides immunity from civil liability for teachers and school personnel giving information of minors' drug abuse to parents, health care providers, and law enforcement officials.

10-20 Confidentiality (HB 1541) Amends laws relating to confidential communications; authorizes physicians to release certain patient information to the Department of Human Resources and provides immunity from liability for complying with this section.

10-21 Clinical Laboratories (HB 1549) Amends the law relating to the control, licensing, and operation of clinical laboratories so as to require licensure of specimen collection stations; provides that for the purposes of licensure, specimen collection stations which have a parent clinical laboratory licensed by the State of Georgia may be considered a part of that laboratory.

10-22 Health-care Regulation (HB 1553) Amends the law relating to regulation of hospitals and related institutions to include freestanding emergency care clinics and birthing centers, within the definition of regulated institutions; excludes physicians' and dentists' private offfices and treatment rooms in which dentists or physicians primarily see, consult with, and treat patients.

10-23 Sovereign Immunity (HB 1715) Waives sovereign immunity as to any action arising out of or in connection with any written contract now existing or hereafter entered into by the State, and by departments and agencies of the State; provides that venue and service with respect to lawsuits arising out of these contracts shall be the county in which the action arose or any county in which the plaintiff transacts business or maintains an office.

10-24 Fire Protection Study Committee (NR 533) Amends a resolution creating the Statewide Fire Protectio Study Committee to provide that the Director of the Institute of Government of the University of Georgia or his representative may serve as a member of the committee.

10-25 Occupational Therapy Licensing Act (SB 450) Amends "Georgia State Occupational Therapy Licensing Act" so as to continue the Georgia State Board of Occupational Therapy and the related laws until July 1, 1988; provides for the termination of the Board as of that date.

10-26 Fair Employment Practices Act (SB 477) Amends the "Fair Employment Practices Act of 1978," to provide for its extension until July 1, 1985.

10-27 Board of Examiners of Licensed Practical Nurses (SB 498) Amends laws providing for the licensure of practical nurses, so as to provide for the continuation of the Georgia Board of Examiners of Licensed Practical Nurses until July 1, 1988, but to provide for the later termination of that board.

10-28 Board of Nursing (SB 499) Amends law relating to the Board of Nursing, so as to continue the Georgia Board of Nursing and the related laws until July 1, 1988, but to provide for termination of the Board as of that date.

10-29 Commission on State Growth Policy (SB 601) Establishes a fifteen-member Georgia Commission on State Growth Policy to advise the executive and legislative branches on matters of intergovernmental relations; provides that the Commission shall study matters of governmental structure, growth and development of state fiscal policies, service delivery, relations between urban and rural areas, and proposed and existing federal and state programs; provides that the Commission shall encourage the coordination of studies related to intergovernmental functions by universities, research, and consulting organizations, and shall issue special or interim reports on special subjects as it deems appropriate; assigns the Commission to the Georgia Department of Community Affairs, and provides that the Commissioner of Community Affairs or his designee shall serve as Staff Coordinator of the Commission; provides that the Commission shall be composed of three members of the Senate appointed by the President, three members of the House appointed by the Speaker, and nine additional members appointed by the Governor; provides that this Act shall be come effective on January 1, 1983.

10-30 Physical Facilities/Building Codes (SB 602) Amends the law relating to standards and requirements for the construction and alteration of buildings and other structures provides for certification of industrialized buildings and for the establishment of uniform health and safety standards and inspection procedures for industrialized buildings.

10-31 Board of Medical Examiners (SB 604) Amends the law relating to the Composite State Board of Medical Examiners to extend its life until July 1, 1988; amends laws relating to physicians, osteopaths, and orthotists to continue them in effect until that date; provides for a Physician's Assistants Advisory Committee, and its duties and functions; provides for a physician's assistants advisor to the Composite State Board of Medical Examiners; provides for license display by doctors of medicine; removes certain prohibitions regarding corporate practice by physicians.

10-32 Board of Registered Professional Sanitarians (SB 620) Amends the law related to the membership of the Georgia Board of Registered Professional Sanitarians; changes Board membership from seven to eight persons; retains one sanitarian from the College of Agriculture at the University of Georgia, and one from another unit of the University System of Georgia; adds one consumer member; and amends requirements for becoming a registered sanitarian.

10-33 Bonds-Contracts (SB 678) Amends Code Section 23-1705 relating to requirements of payment and performance bonds for public contracts; amends Title 13, Chapter 10, Article 1, of the Georgia Code relating to contracts for public works; exempts from payment and performance bond requirements those contracts in which the total contract price does not exceed $20,000 (effective July 1, 1982); provides that contracts with the state, and other public boards and bodies, shall be exempt from performance and payment bonds when the total contract price does not exceed $20,000 (effective November 1, 1982); provides that in its discretion a public board or body may require performance and payment bonds for any public works contract.

10-34 Public Meetings (SB 683) Revises and supersedes present laws relating to the openness and conduct of public meetings; applies to every state agency; defines "meeting" as the "gathering of a quorum of an agency pursuant to call at a designated place at which official action is to be discussed or taken;" retains exceptions in present law as to when meetings may be closed; defines "public records" as "those documents and writings which are prepared and kept as written memorials of a final action taken" by any agency; and provides for posting of notice of such meetings; effective November 1, 1982.

10-35 Public Records (SB 693) Amends laws related to the inspection of public records so as to provide that the keeper of public records shall have three days in which to determine the appropriateness of inspection requests; excludes from inspection those records required by the federal government to be kept confidential, medical records, and other files prohibited by law from being open to inspection by the general public; provides that any person who willfully refuses to provide access to public records shall be guilty of a misdemeanor.

10-36 School Finance Study Commission (SR 271) Creates a member School Finance Study Commission to conduct a comprehensive study of the existing system of financing public education in Georgia; resolves that the Commission shall make a report of its findings prior to the 1983 session of the General Assembly.

10-37 Health and Medicine Education Study Committee (SR 284) Creates the Senate Health and Medical Education Study Committee to be composed of the Chairman of the Appropriations Committee the President Pro Tempore, the Chairman of the Higher Education Committee, the Chairman of the Agriculture Committee, the

Chairman of the Human Resources Committee and five other members of the Senate to be appointed by the President of the Senate; provides that the Committee shall undertake a study of medical education in the state and the use and application of state funds appropriated for medical and veterinary schools and education.

10-38 Sovereign Immunity (SR 340) Proposes a Constitutional Amendment to provide for the sovereign immunity of the State and all of its departments and agencies; waives sovereign immunity with respect to contract actions; waives the defense of sovereign immunity as to damage claims for which liability insurance has been provided; provides that the sovereign immunity of the state or any of its departments and agencies may be waived in the future by acts of the General Assembly. Effective upon approval by the people in the November general election this year.

HAWAII (11)

Legislation Enacted

11-1 Appropriation (Act 264) Appropriates $29,663,538 for community colleges. Includes general and special funds.

11-2 Loan Repayment (S-2) Clarifies the repayment status of University of Hawaii students who are awarded State Higher Education Loans and who subsequently reduce their enrollment status below full-time.

11-3 Chemical Defoliant Exposure (SB 2470) Authorizes the Department of Health, with University of Hawaii cooperation, to provide services to Vietnam veterans who were possibly exposed to chemical defoliants, including agent orange.

11-4 Salary Ceilings (SB 2759) Fixes salary ceilings for various State Officials; sets University of Hawaii President's salary at $49,500 effective July 1, 1981 and at $53,460 on July 1, 1982, the same as the salary for the Lt. Governor.

11-5 General Improvements Act of 1982 (SB 2829) Allocates $100,000 for Windward Community College Master Plan.

11-6 Resident Qualifications (SB 2970) Clarifies the qualification of students for the resident tuition fee.

11-7 Financial Aid Cutbacks (SR 39) Requests that University of Hawaii monitor federal financial aid cutbacks to assure the continuation of federal and state funds and to report two weeks after the convening of the 1983 session.

11-8 Tuition Fee Schedule (SR 40) Requests the Board of Regents to assess whether the current tuition fee schedule is adequate to maintain quality educational opportunities for the people of Hawaii.

11-9 Interpreters for the Hearing Impaired (SR 55) Requests the Commission on the Handicapped to establish an interim committee, including representatives for the University of Hawaii Interpreter Training Program, to study the need for legislation for interpreters for the hearing impaired with a report from the commission due twenty days prior to the 1983 session.

11-10 Summer Session Study (SR 64) Requests the University of Hawaii to study alternative ways of assuring the continuation of summer sessions at the community colleges with a report due twenty days prior to the 1983 session.

11-11 Energy Conversion (SR 72) Requests UH/HNEI Electric Vehicle Project to submit a report on the feasibility of converting gasoline-powered State and County vehicles into electric-powered vehicles with a report due twenty days prior to the 1983 session.

11-12 Motor Vehicle Restraint Program (SR 99) Requests the Department of Transportation to continue to review motor vehicle occupant restraint program experience received from other agencies, including the School of Public Health.

11-13 Centralized Marshalling Facility (SR 117) Requests CTAHR and other departments to support the creation of the Statewide Cooperative Council and to plan for a centralized marshalling facility, possibly by the conversion of the Kapalama Military Reserve to State control.

11-14 Nurse Supply (SR 132) Requests that a task force, including representatives from the School of Nursing, conduct a study and recommend programs to assure an adequate supply of nurses in Hawaii with a report due twenty days prior to the 1983 session.

11-15 Supplemental Appropriations Act of 1982 (HB 2070) Includes $5,477,387 in general fund resources and 13.15 FTE new positions to meet higher education needs.

11-16 Loan Repayment (HB 2210) Clarifies the repayment of loans by University of Hawaii students who reduce their enrollment status below half-time. Requires that loan recipients begin payment when they graduate or when they cease to be enrolled at least half-time in a degree program.

11-17 Tax Refunds (HB 2241) Permits the retention of State income tax refunds for those persons owing a debt to the State.

11-18 New/Young Farmer Program (HR 119) Expresses legislative support of the continuation of the University of Hawaii new/young farmer program.

11-19 Gerontology Program (HR 169) Requests the Hawaii Housing Authority to determine the need for the After-Hours Gerontology Program and to coordinate the preparation of the report with the help of the University of Hawaii. The report is due twenty days before the 1983 session.

11-20 Vietnam Vet Opportunities (HR 195) Requests the University of Hawaii to study educational and job oriented training opportunities for Vietnam veterans and report twenty days prior to the 1983 session.

11-21 Equality of Pay (HR 208) Requests Industrial Relations Center of the University of Hawaii to conduct a preliminary review of equality of pay for work of comparable value with the report due twenty days prior to the 1983 session.

11-22 Project Ho'Okoho (HR 286) Requests the University of Hawaii and the Department of Education to study the effectiveness of Project Ho'Okoho and possible alternate sources of funds for this in-service training system with a report due twenty days before the 1983 session.

11-23 Childcare Resource and Federal System (HR 290) Requests DSSH, with the assistance from other agencies, to study the feasibility of establishing statewide child-care resources and referral system and a child-care training component with report due twenty days prior to the 1983 legislative session. (The importance of the assistance of the University of Hawaii is cited.)

11-24 Teacher Skills (HR 311) Requests the University of Hawaii to prepare a proposal to improve and strengthen the skills of perspective teachers in the degree programs in education with a report due twenty days prior to the 1983 legislative session.

11-25 New/Young Farmer Program (HCR 76) Expresses legislative support of the continuation of the University of Hawaii new/young farmer program.

Legislation Not Passed

11-26 Administrative Costs Reduction (S 1) Would reduce administrative costs through simplified small purchase procedures and equate the dollar amount of the requirement for bid advertising with the current dollar value.

11-27 Delinquent Debt Collection (S 3) Would have provided for the collection of delinquent debts owed the University of Hawaii through the offsetting of tax refunds whereby the University could recover delinquent financial obligations, including student loan programs such as the State Higher Education Loan Fund and the National Student Loan Program.

IDAHO (12)

Legislation Enacted

12-1 Residency Requirements and Fees (HB 682) Amends the definition of residency requirements for the junior college districts, strikes the provision allowing a residency-decision appeal to the State Board of Education, and increases the total of tuition and fees paid by the student's home county from $312.50 per semester to $500 per semester.

12-2 State Liquor Funds (HB 796) Distributes the state liquor funds which create a junior college account ($300,000 per year). Establishes a process for counties to use half their liquor funds to pay tuition of students of nonjunior college district counties attending the junior colleges, with additional provision for levying an "ad valorem tax" should the amount not be sufficient to pay the tuition.

12-3 Appropriation (HB 807) Appropriates $4,300,000 for the junior colleges.

ILLINOIS (13)

Legislation Enacted

13-1 Bond Interest and Indebtedness (SB 59) Amends the Municipal Code relating to interest rates on bonds, tax anticipation warrents and other evidences of indebtedness issued by public corporations.

13-2 Appropriation Bill (SB 1357) Appropriates $154,998,840.

13-3 Course Standards Program Costs (HB 1301) Provides for State Board of Education and Community College Boards to jointly establish standards for courses of instruction. Permits community colleges to assess students up to $3.00 per credit hour for classes other than Adult Basic Education level programs, if needed to meet program costs. Revises reimbursement procedure provided by community college districts. Calls for an Area Planning Council to be established within boundaries of each community college district.

Legislation Not Passed

13-4 Education Labor Relations Board (SB 733) Would have created the Illinois Education Labor Relations Board and provided that representatives selected by educational employees in a unit appropriate for collective bargaining purposes be the exclusive representation of all the employees in such unit to bargain on wages, hours, terms, and conditions of employment. (Covers full-time employees.)

13-5 Appropriation (SB 1358) Would amend SB 1357 by adding $5.2 million to the $140.9 million credit hours grants. Would allow funds for salary increases of 4 percent on 95 percent of personal service bases.

13-6 National Guard Scholarships (SB 1395) Would appropriate an additional $250,000 to cover FY 1982 shortfalls in National Guard scholarship programs administered by the Illinois State Scholarship Commission.

13-7 Veterans' Scholarships (SB 1388) Would appropriate an additional $4 million to cover shortfalls in funding FY 1982 Veterans' scholarship programs.

13-8 Collective Bargaining (HB 1345) Would establish the right of educational employees, including employees of public community college districts to bargain collectively. It would establish a state board to oversee compliance with the act. Would also provide the method for elections to determine collective bargaining agents, defines unfair labor practices, provide for settlement of claims for unfair labor practices, provide impass procedures and mediation procedures, require binding arbitration and specifiy the conditions under which strikes may occur. (Includes part-time employees.)

13-9 Student Fees-Trustee Terms (HB 2234) Would have amended the School Code and required the State Board of Education to promulgate rules to allow school districts to assess an educational fee to students who reside on a military base.

13-10 Appropriation (HB 2459) Would influence funding for community colleges. Appropriates grants-in-aid to the State Board of Education which includes $1 million for high impact training grants, $33 million for vocational education, and $3,375,000 for adult education programs.

13-11 Property Taxation (HB 2485) Would have amended the Revenue Act by attempting to ensure that property is fairly assessed and taxed.

13-12 Job Training Bill (HR 5320) Would emphasize job training rather than the creation of public service jobs, and would provide that Private Industry Councils would have responsibility for planning the programs; a large measure of the financing would be aimed at providing the disadvantaged with employment and training programs.

INDIANA (14)

No Relevant Legislation Identified

IOWA (15)

Legislation Enacted

15-1 Payment of Advance Expenditures (SF 2068) Allows the boards of merged areas to authorize the secretary of the board to pay certain stated expenditures in advance of their specific approval by the board. The board would then allow payment at its next meeting.

15-2 Audit Certification (SF 2077) Authorizes the board to designate one or more members of the board or a certified public accountant employed by the board to perform and certify the audit to the board.

15-3 Pensions (SF 2178) Includes an increase in wages covered to $22,000 on January 1, 1986 and an increase in the monthly benefit to 50 percent of the five year average of covered wages for individuals retiring on or after July 1, 1982 covered by the Iowa Public Employees Retirement System.

15-4 Student Loan Repayment (SF 2180) Provides a set off against income tax refunds or rebates for defaulters with a guaranteed student or parental loan for programs administered by the Iowa College Aid Commission.

15-5 Nonprofit Foundations (SF 2247) Authorizes the board of directors of a merged area to establish nonprofit foundations.

15-6 Board Proceedings (SF 2267) Legalizes and validates the proceeding of the board of directors of Iowa Western Community College in connection with certain contracts to construct and lease facilities with a purchase option.

15-7 Appropriation (SF 2304) Authorizes a 1983 appropriation of $275,000 to be allocated to the merged area schools for training employees of companies locating or expanding within Iowa and increased the supplemental appropriation to the vocational-technical tuition grant program from $100,000 to $200,000.

15-8 Board Meetings and Procedures (HF 2147) Changes the annual organization date of the board of directors from the first Monday in October to the first regular meeting in October. In each merged area, the initial board of directors elected at the special election shall organize within fifteen days following the election and may thereafter proceed with the establishment of the designated vocational school or area community college.

15-9 Budget Appeals (HF 2371) Provides that a local budget shall be amended by May 31 of the current fiscal year to allow time for a protest hearing to be held and a decision rendered before June 30. Revises the procedures of the state appeal board in the consideration of the budgets of local governments and provides an effective date.

15-10 School District Demarcation (HF 2376) Requires that director districts shall be of approximately equal population within each merged area. Allows boundry lines of a merged area to divide a school district. Provides for the drawing of director districts in the merged area by the board of directors after each census and that these districts shall coincide with the boundry lines of school districts where feasible. Provides that if the boundry lines of a merged area are changed, the annual levy required to pay the amount due for a loan agreement shall continue to any territory served from the merged area until the loan has been paid in full. The state board is provided with the authorization to make changes in the boundaries of merged areas with the approval of the board of directors of the merged area.

15-11 Dual Board Appointments (HF 2390) Permits the board of directors to appoint one person to serve as both the secretary and treasurer. Requires only one bond if one person serves as the secretary and treasurer for a merged area.

15-12 Lease Agreements (HF 2411) Provides that lease agreements extending for less than ten years and for less than $25,000 per year need not be submitted to the state board for approval.

15-13 Tax Deposits (HF 2495) Provides that the county treasurer shall send amounts collected for each fund of a school corporation for direct deposit into the depositiory and account designated by the school board.

Legislation Not Passed

15-14 Fund Transfers (SF 2067) Would have allowed area schools to transfer funds between four accounts, unless these transfers were otherwise prohibited. Transfers would still be limited by state or federal laws and regulations.

15-15 Acre Limitation (SF 2120) Would have permitted a merged area to purchase additional property which would cause the merged area to exceed the 320 acre limitation if the state board of public instruction approves.

15-16 Tax Exemptions (SF 2239) Would have exempted from the state sales, services, and use tax the sales of tickets or admissions to places of amusements, fairs, and athletic events sponsored by merged area educational institutions and those sponsored by a county or state fair board.

KANSAS (16)

Legislation Enacted

16-1 Funding (SB 454) Provides for contractual services with SRS and state agencies. Increases state aid to community colleges for two years, by $0.50 per credit hour per year (1982-83, $23.00 per cr/hr; 1983-84, $23.50 per cr/hr); vocational aid (1982-83, $34.50 per cr/hr; 1983-84, $35.25 per cr/hr); out district state aid and out district tuition (1982-83, $22.50; 1983-84, $22.00); out district tuition and out district state aid: same as the community colleges except that the out district tuition does not take effect until January 1, 1983. Thus they lose the first semester of this fall. The same restrictions for out district tuition apply as those which apply to students who go from one community college district to another.

16-2 Financial Statements/Retirement (SB 531) Eliminates community colleges from the requirement of fixed asset accounting. Contains liberal provisions concerning retirement and makes the retirement date the year in which the teacher reaches age 65.

16-3 Bonds, Interest Rates, and Sales Procedures (SB 563) Strikes the maximum interest rate allowed for municipal bonds (12 percent) and establishes a maximum floating interest rate. Provides for notice of bond sales in a newspaper published in Topeka designated by the Secretary of State as well as in a newspaper of

general circulation in the county and in the Kansas Register. Except for the latter, the notices shall be published between ten and thirty days prior to the bond issue.

16-4 School Closings and Acquisition of School Property (SB 729) Pertains to closure and change of use of school buildings and acquisition of property by school boards.

16-5 Self-Insurance Health Plans (SB 800) Amends the Uniform Procedure for Payment of Claims Act to allow claims submitted to members of a municipality's self-insured health plan to be paid in advance of approval by the governing body. Facilitates the operation of self-insurance heath plans by municipalities where the municipality has contracted with a private entity for the processing and payment of health claims. (Municipalities include community colleges.)

16-6 Postsecondary Education Loans (HB 2617) Defines the higher education loan program as one which makes available loans to students and to parents of students and is subject to provisions of the amended higher education act of 1965. Programs are authorized to issue tax exempt bonds for purposes of issuing student and parent loans.

16-7 Retirement Systems (HB 2623) Makes numerous changes affecting the Kansas Public Employees, Kansas Police and Fire, and Judges Retirement Systems. Provides for benefit increases, reduction in employer contribution rates, appropriate grouping for benefits of specified employees, death benefits, retirement dates, and makes changes to enhance portability among state retirement systems.

16-8 Personnel Evaluation Law (HB 2703) Amends the personnel evaluation law applicable to school districts, accredited nonpublic schools, area vocational-technical schools and community colleges. Calls for the evaluation of full-time instructors each semester. Community colleges are exempted from the deadlines for completion of evaluations; however, the same number of evaluations are still required.

16-9 Motor Vehicle Tax (HB 2786) Provides that motor vehicles owned by finance companies shall be taxed rather than being included in the personal property of finance companies which is subject to a 5 mill levy. Exempts from the motor vehicle tax motor vehicles owned by the state, municipalities, or political subdivisions which are exempt from property taxation.

16-10 Mandatory Purchases (HB 2883) Amends a law which pertains to mandatory state and school district purchases from the Kansas Industries for the Blind Division, the Division of Vocational Rehabilitation, and from rehabilitation facilities.

16-11 Kansas City College and Bible School--Approval to Grant Degrees (HB 2923) Amends a law which requires private postsecondary institutions chartered, incorporated, or otherwise organized in Kansas and which have their main campus located in Kansas to be approved by the State Board of Regents in order for them legally to award academic or honorary degrees. Permits Kansas City College and Bible School to grant degrees.

16-12 Health Care, Self-Insurance Trust Funds (HB 2957) Amends the law which allows school boards and community college trustees to act as self-insurers for providing health care services. The amendment authorizes the governing body to enter into a trust agreement with any corporate entity having the powers of a trust company within Kansas and to transfer amounts in the health care services reserve fund to the trustee for safeguarding and investment.

KENTUCKY (17)

Legislation Enacted

17-1 Higher Education Council Membership (SB 168) Redefines the membership of the council on higher education as consisting of seventeen lay members; provides for appointments and terms of the membership; requires the at-large membership of the council on higher education to include a student member enrolled full time at a state public institution of higher education; defines the election of such student member; requires a one-year term for such student member; requires among the lay members at least one undergraduate degree recipient from each of the state universities, to be appointed by the governor; requires the council to make recommendations concerning appropriations for institutions of higher education; requires the council on higher education to review certain budgetary requests and policies of institutions of higher education; designates the president or chief executive of each four-year state institution of higher education to serve on an advisory conference for the council; increases from fifteen to seventeen the membership of the University of Louisville board of trustees.

17-2 Department of Education Reorganization (SB 173) Reorganizes the Department of Education; eliminates the State Board of Elementary and Secondary Education and the State Board for Occupational Education, and in lieu thereof, creates the State Board of Education. No new functions are granted to the new state board that were not within the jurisdiction of one of the previously established boards.

17-3 Golden Anniversary of Paducah Community College (SR 38) Commemorates the Golden Anniversary of Paducah Community College; commends the distinguished statesmen who have served as president of the college during its first half century of existence; pays tribute to the present leadership and congratulates all connected with the college for its successful endeavors.

17-4 Recognition of University of Kentucky Community College System (SR 74) Recognizes the services performed by the University of Kentucky Community College System through its faculty and staff, and expresses a reaffirmation of commitment to the role of the University of Kentucky Community College System to higher education as mandated in the legislative acts of 1962.

17-5 Fund Regulations (HB 622) Gives governing boards of public universities the option of establishing and exercising the functions required for deposit and disbursement of funds, accounting, purchasing, and capital construction; permits electronic funds transfers when authorized by statute; requires handling of funds transfers so as to assure zero balance in the general fund account at the university; directs state retention of anticipated investment earnings on university funds in the capital construction and general fund accounts for the next two years; permits the secretary of finance to establish the minimum scope for post audits; requires approval of the secretary of finance for real estate purchases, and establishes a procedure for emergency purchases.

17-6 Recognition of Service by University of Kentucky Community College System (HR 76) Recognizes the service performed by the University of Kentucky Community College System throughout its faculty and staff, and expresses a reaffirmation of commitment to the role of the University of Kentucky Community College System to higher education, as mandated in the legislative acts of 1962.

Legialation Not Passed

17-7 Program Approval (SB 99) Following the approval of occupational, technical and vocational programs (on an associate degree level) by the Council on Higher Education, the program requests would have been submitted to the Bureau of Vocational Education who then would have made a recommendation to the State Board of Education. The final approval (based upon the need for such a program) would have been given by the State Board of Education.

LOUISIANA (18)

Legislation Enacted

18-1 Appropriations (Act 13) Appropriates $22,278,042 to Louisiana State University, Southern University-Shreveport, and Delgado Community College.

18-2 Private Telephone Numbers (Act 24) Provides that in the case of employees who have chosen to have a private or unlisted telephone number, the number as contained in personnel records shall remain confidential.

18-3 Loyalty Oaths and Affirmations (Act 48) Requires a written loyalty oath or affirmation for all State employees to be filed within fifteen days of employment.

18-4a Telecommunications Bill (Acts 152, 153) Updates procurement
18-4b procedures for telecommunications equipment, systems and services.

18-5a Small Professional Services Contracts (Acts 206, 306) Amends
18-5b State Law with respect to small professional services contracts and interagency contracts between higher education boards and institutions under their jurisdiction. These contracts, as well as those of less than $5,000 will no longer be required to go through the contractual review process, thus relieving higher education of unwarranted paperwork.

18-6 Advertising Contracts (Act 244) Includes advertising contracts within the definition of consulting service contracts.

18-7 Sale of Livestock (Act 275) Authorizes public colleges and universities to sell certain livestock to members of farm youth organizations without public bids, but with various stipulations.

18-8a School Reimbursement and Teacher Participation in Special
18-8b Programs (Acts 369, 360) Provides for colleges and universities to be reimbursed at the beginning of each semester for one-half the amount of tuition owed by participating teachers and removes the prohibitions against foreign language teachers participating in the program while studying abroad.

18-9 PIP Committee (Act 414) Provides for a designee of the Board of Regents to serve on a State's PIPs committee.

18-10 Use of Academic Titles (Act 547) Stipulates that any person using the term "Doctor" or "Dr." in an advertisement must designate the degree to which he is entitled "by reason of his diploma or graduation from school . . ."

18-11 Financial Report Deadlines (Act 568) Stipulates various changes in deadlines for financial reports and data to be submitted to the Division of Administration by budget units.

18-12 Advertising Law (Act 668) Amends the public advertising law to permit the higher education institutions and boards to expend public funds for advertising in newspapers, pamphlets and periodicals in accordance with the Consent Decree.

18-13 Capital Outlay Bill (Act 679) Provides some $231.5 million for capital improvements at the public colleges and universities.

18-14 Penalties-Contractual Obligations (Act 709) Imposes a penalty on State agencies, that, without reason, fail to pay contractual obligations due small businesses within thirty days.

18-15 Fiscal Closings (Act 723) Permits colleges and universities to retain the current 90-day period for closing their books at the end of each fiscal year.

18-16 Personnel Procedures Act (Act 759) Exempts higher education from the provisions of the Personnel Procedures Act except to require that the boards and institutions report personnel information to accommodate an automated statewide information system.

18-17 Tax Exemption (SB 950) Relieves various institutions, including the colleges and universities, from local amusement taxes.

18-18 Committee Review of Football Schedules (SCR 31) Calls for the Joint Education Committee to study the football schedules of all public universities except LSU and USL prior to the 1983 legislative session.

18-19 Joint Committee (SCR 8) Calls for the Board of Elementary and Secondary Education and the Board of Regents to establish a joint committee to consider raising standards for the high school curriculum as well as the general education component of higher education.

18-20 Appropriation Bill (HB 350) Appropriates $13,799,620 to two-year institutions and programs. Also provides $1.1 million in state funds for the State Student Incentive Grant Program, $1.2 million for the T. H. Harris Scholarship Program. Recipients who live in the parish in which the institution they attend is located will receive $140 per semester, while those residing outside the parish will receive $175 per semester.

Reimbursements are made to various institutions for the full amount of teachers enrolled in the tuition-free continuing education program. (Amounts owed.)

18-21 Personnel Improvement Programs (HCR 189) Provides for the State Department of Education, beginning in December 1983, to report annually to the Legislature on varous aspects of PIPs and its effect on college and university enrollments. The report is to include a breakdown of formal courses pursued for PIPs credit by department of instruction.

Legislation Not Passed

18-22 Capital Outlay Bill (Act 679) The Bill was passed, however, the Governor vetoed a section which would have awarded $3 million for planning and construction of a health and physical education building at Delgado Community College.

18-23 State Aid Formula (SB 423) Would have changed the formula for state aid to independent colleges and universities.

18-24 Appropriations (HB 350) Would have appropriated $250,000 for Campus Improvements at LSU-Alexandria.

18-25 Scholars-Trust Fund (HB 437) Would have established the endowment trust fund for eminent scholars.

MAINE (19)

Legislation Enacted

19-1 Loans for Student Payments Chapter (5) Authorizes the credit of the state to be loaned to secure funds for loans to parents of Maine students attending institutions of higher education.

19-2 Annuity Agreements with the University of Maine Chapter (546) Amends provisions regarding annuity agreements with the University of Maine.

19-3 Establishment of Student Loan Corporations Chapter (678) Permits certain institutions of higher education to form student loan corporations and to issue low-cost loans to qualified students.

University of Maine is given the option of participating through the Maine Health and Higher Educational Facilities Authority or issuing its own revenue bonds and other obligations. But such bonds or other obligations are not a debt or liability of the state or any municipality of political subdivision, nor are they a pledge of the faith and credit of the state or any municipality or political subdivision.

19-4 Revises the Education Laws Chapter (693) Reorganizes the education statutes.

19-5 Appropriation (LD 2144) Appropriates $10,945,848 for vocational technical institutes and practical nursing (1982-83).

Legislation Not Passed

19-6 Membership of Legislators on Educational Boards Under Multi-State Compacts (LD 1917) Would have removed the legislative members from the New England Board of Higher Education and the Maine Education Council.

MARYLAND (20)

Legislation Enacted

20-1 Teachers' Pension System (SB 261) Ties the employer's contribution in the State Teacher's Retirement System to the greater of the current rate or an actuarially determined rate for the new Teacher's Pension System. Because the State's contribution to this system is currently below 5.84 percent, it is not expected that this legislation will affect the actual optional retirement contributions for at least two years.

20-2 TIAA (SB 269) Provisions enacted in 1975 authorize an optional retirement program for professional employees in public institutions of higher education. The program is administered by TIAA and may be elected by eligible employees in lieu of their participation in the public retirement systems. The State Board

for Community Colleges reimburses the colleges for the employer costs. Extends eligibility for the program and clarifies language.

20-3 Appropriations (SB 638) Places in the statute on a continuing basis the funding changes originally adopted for a one-year period only during the 1981 session. The 1981 changes, emerging from the Scanlan Task Force recommendations, provide for an increase in the aid rate, a flat grant, and part-time student grant. With funds provided in the State budget and this legislation, State aid to community colleges in the FY 1983 will total $60,854,484.

20-4 Tuition Waivers for Senior Citizens (HB 237) Permits boards of community college trustees to allow senior citizens to enroll without payment of tuition. The primary intent of this measure is to standardize provisions for public institutions. Three changes affect community colleges. First, the program, which has been permissive, is made mandatory. Second, waivers are required only in those courses that are State-supported. Finally, community colleges are authorized to go beyond the legislatively mandated program if they choose, so long as these additional activities are not submitted for State support.

20-5 Bond Authorization (HB 808) Provides for a State debt in the aggregate amount of $2,000,000 for financing of the State share of the design and construction of community college facilities. For the first time this year, the bond authorization also includes regional community colleges within the same measure. Capital funds are administered by the State Board for Community Colleges under procedures approved by the Board of Public Works. The Act is effective June 1, 1982.

20-6 Bidding Process (HB 1317) Raises the dollar threshold for application of the statutory bidding process from $5,000 to $7,500. Also clarifies provisions in regard to emergency repairs.

20-7 State Supplemental Loan Authority (HB 1617) Establishes a State Supplemental Loan Authority to issue revenue bonds for participating institutions to make additional student loans available. Community colleges are eligible to participate, but require collateral be posted to assure loan repayment.

MASSACHUSETTS (21)

Legislation Enacted

21-1 Vietnam Veterans Memorial Complex Chapter (133) Directs the Board of Trustees at Mt. Wachusett Community College to name their physical education complex the Vietnam Veterans Memorial Physical Education Complex.

21-2 1983 Fiscal Budget Chapter (191) Allocates $76.7 million for the support and maintenance of the fifteen community colleges.

21-3 Student Fees-Public Interest Research Group Chapter (212) Established a voluntary checkoff stystem for students wishing to direct a payment to the Massachusetts Public Interest Research Group. The fee will be determined by the students and PIRG and established after receiving a majority vote in an official student referendum.

21-4 Boards of Trustees Size Chapter (402) Increases the size of all institutional Boards of Trustees from eight to ten members to be appointed by the Governor. Each Board also has a student member to be elected by the student body.

MICHIGAN (22)

Legislation Enacted

22-1 Appropriation (SB 739) Appropriates $137,000,000 to Public Community Colleges and creates a job training and retraining investment fund aimed at economic development and job training or retraining.

MINNESOTA (23)

Legislation Enacted

23-1 Labor Agreements Chapter (568) Ratifies labor agreements for state employees and University of Minnesota employees.

23-2 Postsecondary Opportunities for Secondary Students Chapter (618) Authorizes school districts to develop programs enabling secondary students to attend courses at postsecondary institutions.

23-3 Capital Bonding Bill Chapter (639) A capital bonding bill of $7.2 million includes $752,300 to the State Department of Education, $924,000 to the State University System and $1,235,000 to the University of Minnesota for various projects.

23-4 Budget Cuts Chapter (641) Cuts over $3 million from postsecondary education budgets.

23-5 Student Housing (HF 1579) Conveys no more than five acres to the city of Brainerd for student housing needed for the operation of Brainerd Community College.

23-6 Leaves of Absence and Seniority; State Board (HF 1726) Removes the Commissioner of Education from the State University Board and as Secretary of the Board; allows teachers at a community college or state university to accrue seniority during a leave of absence.

23-7 Secondary Students and Postsecondary Institutions (HF 1819) Authorizes school districts to develop programs enabling secondary students to attend courses at postsecondary institutions; permits the granting and transfer of credits for students; allows reimbursement for instruction.

23-8 Personnel Management (SF 1856) Improves the State's personnel management function.

23-9 Labor Agreement (SF 1964) Ratifies state employee and University of Minnesota labor agreements and compensation plans; clarifies the meet and confer status for professional employees; extends final offer arbitration to certain public employee impasses.

23-10 Equitable Compensation (HF 2005) Provides for equitable compensation relationships among certain government employees.

23-11 Acquisition and Betterment of Public Land and Buildings (HF 2136) Authorizes the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizes the issuance of state bonds; authorizes interfund borrowing in anticipation of bond proceeds; provides for bond sale expenses; authorizes covenants to secure certificates of indebtedness.

MISSISSIPPI (24)

Legislation Enacted

24-1 Cosmetology Licensing (SB 2455) Deletes requirement for health certificate for cosmetology licensure; provides that licensed barbers may take 500 hours of cosmetology training for a license in cosmetology.

24-2 Note and Bond Interest Rates (SB 2764) Increases the maximum interest rate to 10 percent on certain junior college notes and bonds issued prior to June 30, 1983.

24-3 Appropriation (SB 2919) Appropriates $170,379 to the Division of Junior Colleges.

24-4 Appropriation (SB 2925) Appropriates $40,248,410 for Junior College Support.

24-5 Employee Liability Insurance (SB 3014) Authorizes junior colleges to purchase liability insurance to cover the official action of their employees.

24-6 Board of Education (SCR 506) Authorizes a referendum to amend the state constitution to provide for a nine member lay State Board of Education; five elected, one from each congressional district; four appointed: two by the Governor, one by each Speaker and Lt. Governor. The Board would appoint the State Superintendent of Education.

24-7 Property Assessment (SCR 519) Authorizes the referendum to amend the state constitution to provide for the classification of property for appraisal/assessment purposes; fixes the assessment ratio of types of classifications.

24-8 Course Loads (HB 115) Removes restriction on course loads of students at university degree granting branches; gives the Board of Trustees of the Institutions of Higher Learning discretion to change policy. (Current policy and previous statutory limit specify nine semester hours per semester.)

24-9 Cosmetology Council (HB 338) Increases the number of delegates on the Mississippi Cosmetology Council; deletes requirements for a health certificate submitted with applications for examinations, licenses and permits; provides for licensing of barbers as cosmetologists upon completion of 500 clock hours in an accredited school of cosmetology.

24-10 Employee Insurance (HB 434) Authorizes counties, municipalities, public schools, and junior colleges in their discretion to increase life insurance coverage for employees to $50,000 and provide salary protection insurance not exceeding 60 percent of employee's income.

24-11 Individual Financial Interests Statements (HB 655) Reenacts and amends the Mississippi Code of 1972; requires members of public schools and junior college boards of trustees to file annual statements of financial interests.

24-12 Barber and Cosmetologist Licensing (HB 898) Deletes the requirements for health certificates for barber licenses; provides for the licensing of cosmetologists as barbers upon completion of 500 clock hours in an accredited school of barbering.

24-13 MBVTE (HB 1009) Creates the Mississippi Board for Vocational and Technical Education (MBVTE) to administer and expand funds for federal and state programs of vo-tech education in secondary schools, junior colleges and regional vo-tech facilities; transfers the duties of the State Board of Education relative to vocational-technical education to MBVTE; provides that the programs of the newly created board shall be implemented by the Division of Vocational and Technical Education of the State Department of Education; provides that the director of the Division of Vocational and Technical Education shall be selected by the Mississippi Board of Vocational and Technical Education.

24-14 Trust Fund (HB 1033) Creates a Trust Fund from mineral leases and production on state owned lands; interest income may be used for purposes of economic development, vocational education and building improvements for the first five years (requires annual appropriations from the legislature).

Legislation Not Passed

24-15 Injury Award (SB 2059) Would have authorized the Board of Trustees of the Northeast Mississippi Junior College, to reimburse an individual a sum not exceeding $3,961.53 for his medical expenses resulting from a football injury sustained while participating in the college's football program.

24-16 Public Records (SB 2403) Would have: (1) provided access by an person to the records of all public bodies of government; (2) required that standard procedures be established by all public bodies by which persons may become aware of their rights to examine and or copy public records; (3) provided procedures for administration, enforcement and appeal of the provisions of the act; and (4) provided penalties for the violation of the act.

MISSOURI (25)

Legislation Enacted

25-1 Funds and School Property (SB 693) Provides that the school board of any district, including all public community, junior college districts, may enter into agreements as authorized with a not-for-profit corporation in order to provide for the acquisition, construction, improvement, repair, remodeling, renovation and financing of school sites, buildings, facilities, furnishings and equipment for the use of the district for school purposes.

25-2 Appropriations (HB 1003) Apprpriates $37,852,921 to junior colleges.

25-3 Meetings Records and Votes (HB 1253) Relates to meetings, records and votes of public governmental bodies.

25-4 Bonds (HJR 113) Authorizes the issuance of state bonds in the aggregate sum of $600,000,000 for the purpose of providing funds for improvements to state buildings and property, for stormwater control, water pollution control and soil conservation grants, and for certan transportation purposes.

Legislation Not Passed

25-5 Funding for Programs Outside Established Districts (SB 811) Would relate to funding for community junior college districts by making postsecondary educational opportunities available to Missouri residents who do not reside in an existing community junior college district. Community junior colleges would be authorized to offer self-sustaining courses and programs outside the community junior college district with prior approval by the coordinating board for higher education.

25-6 Priority for State Corporations (HB 980) Would require all agencies to give preference to Missouri corporations and firms when letting contracts.

25-7 Military Duty (HB 1082) Would relate to leaves of absence for public employees to perform military duties.

25-8 Collective Bargaining (HB 1124) Would relate to rights of public employees regarding labor organizations and collective bargaining.

25-9 Smoking in Public Places (HB 1192) Would relate to prohibition of smoking in certain public places, with penalty provisions.

25-10 Teachers' College Management-Tuition Waivers (HB 1753) Would permit all qualified youth over the age of 16 to be admitted to all the privileges and advantages of the various classes of all the departments of the university of the state without payment of tuition. Would permit fees in professional departments; would give like privileges to those in state teachers' colleges. Would provide the same for those over 65 years of age if no additional personnel or instructional supports are required.

MONTANA (26)

No Relevant Legislation Identified

NEBRASKA (27)

Legislation Enacted

27-1 Reductions (LB 1) Reduced the $19,403,489 General Fund Appropriation to $18,971,679 and the $2,187,000 appropriation to $2,143,260.

27-2 Mandatory Retirement (LB 287) Changes provisions on mandatory retirement. Provides for employment beyond the compulsory retirement age of 70 with approval of governing boards of the institutions and the employee.

27-3 Appropriations (LB 761) Appropriates $19,403,489 to the Technical Community Colleges.

27-4 Appropriations (LB 816) Allocates $2,187,000 for aid to Technical Community Colleges as property for relief.

27-5 Appropriations (LB 816A) Appropriates the $2,187,000 in LB 816.

27-6 Institutional Growth/Institutional Expansion (LB 827) Removes a construction limitation applicable to all Technical Community College Areas for Metropolitan Technical Community College Area.

NEVADA (28)

Legislation Enacted

28-1 Institutional Growth/Institutional Expansion; Administration/Administrative Operation; Employee/Rights, Responsibilities and Regulations; Students/Rights and Responsibilities (Chapter 462) Changes the status of the University of Nevada, Reno, to a branch of the University of Nevada System; confers the power of subpena upon the president of community colleges in all instances involving disciplinary hearings of members of the university community and states policy for public and private meetings; regulates probationary periods for professional employees and fair dismissal procedures and, states administrative procedures concerning witnesses; states business officer functions; provides for issuance of insurance for varsity athletes; and states personnel and policy procedures for the Board of Regents in connection with contractual or research activities.

NEW HAMPSHIRE (29)

Legislation Enacted

29-1 Appropriations (HB 0955) Budget passed for each of the seven postsecondary institutions totaling $12,687,415 for fiscal year 1982.

NEW JERSEY (30)

Legislation Enacted

30-1 Campus Violence (A 520) Requires the Chancellor of Higher Education to report on the incidence of campus violence and the measures undertaken or proposed to deal with the problem.

30-2 Tuition Waiver for Senior Citizens (A 536) Requires State public institutions of higher education to enroll persons of the age of 65 or more years, free of charge, in certain courses for credit or on a noncredit basis.

30-3 Disciplinary Determinations (A 706) Places disciplinary determination within the scope of public employee collective bargaining agreements.

30-4 Auxilary Organizations (A 711) Provides statutory authorization for the establishment and operation of auxilary organizations at the state colleges.

30-5 Administration/Process of Policy Formation (A1457) Includes county colleges under the "Public College Auxiliary Organization Act."

30-6 Loan Fund (S 18) Establishes a special fund in the Higher Education Assistance Authority to be known as the "Education Opportunity Loan Fund." The fund will be financed by Higher Education Assistance Authority Bonds. This fund will supplement the Guaranteed Student Loan Program.

30-7 Diplomas to Drop-outs (S 914) Provides that a high school senior who must withdraw from high school because of changes in the Social Security Law will receive a diploma.

30-8 Union County College (S 1307) Provides for the establishment of Union County College through the consolidation of Union College and Union County Technical Institute.

30-9 Tuition Waiver for Senior Citizens (S 1542) Permits senior citizens to enroll in State Colleges without payment of tuition even if they are taking courses for credit.

30-10 Union County College (S 1903) Corrects a technical error in the legislation consolidating Union College and UCTI. That bill referred to establishment of a board of trustees at a private institution. This changes it to read a board of trustees at a public college.

Legislation Not Enacted

30-11 Standardized Tests (A 167) Would require standardization test agencies to release certain information relating to the test to those taking them.

30-12 Suspended Staff Rights (A 1095) Would provide for the payment of salary to any suspended tenured professional staff member of a state or county college, when the determination of any charge is not made within 120 days.

30-13 Suspended Staff Rights (A 1197) Would provide that any tenured professional staff member of a State or county college that is under suspension pending the determination of any charge that is not determined within 120 days, shall be paid until the determination is made.

30-14 Insurance (A 1372) Would prescribe the types of insurance a board of education may purchase, permits boards to join together to form self-insurance pools.

30-15 Board Membership (S 299) Would remove the county Superintendent of schools from the county vocational school board and the Coordinating Agency for Higher Education.

30-16 Leasing of Property (S 484) Would permit tax exempt educational institutions to lease portions of their properties to organizations or businesses during those portions of the year that the institutions are not in session without losing their tax exempt status, provided that the lease income received is expended in furtherance of the institutions' exempt purpose or purposes.

30-17 Personnel/Employee Benefits (S 1144) Would provide that the State shall make a minimum annual contribution on behalf of each employee enrolled in a retirement program established for faculty and administrative employees of the State's institutions of higher education.

30-18 Student Loan Checks (S 1453) Would require lending institutions to make student loan checks payable jointly to the student and the college.

30-19 Food Service Contracts (S 1622) Would permit public entities to enter into food service contract for any term not exceeding three years.

NEW MEXICO (31)

Legislation Enacted

31-1 New Building (SB 4) Grants $1,125,000 for a new community college vocational building.

31-2 Work Study Program (SB 33) $1,000,000 was appropriated for the first work-study program.

31-3 Appropriations (HB 2) Appropriated $15,873,400 to two-year instruction and general operating costs.

31-4 New Instructional Center (HB 44) Appropriates $2,250,000 for a community college instructional center.

31-5 New Equipment (HB 104) Appropriates $1,600,000 to a community college gymnasium and theater equipment.

31-6 Comprehensive Study (HB 125) $10,000 is appropriated to the legislative study committee for the purpose of conducting a comprehensive study of the structure of public education in New Mexico, including public schools and all postsecondary educational institutions. The study shall include an analysis of the effectiveness of the current division of authority over public education and a determination of ways to improve coordination among the various levels of the educational system and the provision of fiscal and programmatic accountability at all levels within the system.

Legislation Not Passed

31-7 Outdoor Lab (SB 35) Would have appropriated $805,000 for an Outdoor Lab for an Oilfield Training Center.

31-8 Industrial Training Program (HB 19) Would have provided $6,000 to the Department of Education to develop a program for industrial training assistance.

31-9 Library and Student Center (HB 147) Would have provided $1,900,000 for a library and student center at San Juan.

31-10 Fine Arts Building (HB 177) Would have appropriated $1,600,000 for a fine arts building at NNMCC.

31-11 Vocational Education Plan (HB 205) Would have called for a plan for vocational education.

NEW YORK (32)

Legislation Enacted

32-1 Confidentiality of Library Records (Chapter 14) Establishes criteria for maintaining the confidentiality of library records.

32-2 Record Reproducton Fees-Attorney Fees (Chapter 73) Requires that fees for reproduction of public records be prescribed by statute rather than regulation. Also, allows a court to assess against a State agency reasonable mandatory attorney's fees incurred by a person who has prevailed in a court proceeding.

32-3 Rule-Making (Chapter 79) Imposes a 180-day time limit for final agency action after the publication of notice of proposed rule-making.

32-4 Discrimination (Chapter 89) Adds discrimination on the basis of sex as an unfair educational practice in the admission of students to postsecondary institutions and business or trade schools.

32-5 Appropriation (Chapter 275) Restores $630,000 to the Department of Education for the purpose of providing funds for capitation bonus payments.

32-6 Appropriation (Chapter 276) Appropriates $2,000,000 to the Department of Education for the purpose of providing additional funds for dental capitation payments.

32-7 Appropriation (Chapter 433) Appropriates $2,205,000 to the State University of New York for the purpose of providing additional funds for basic and supplemental aid for community colleges.

32-8 Appropriation (Chapter 435) Appropriates $16,990,000 to the State University of New York for additional funds for the support of all State University colleges and schools.

32-9 Retirement Plan (Chapter 463) Extends for one year the coordinated-escalator retirement plan.

32-10 Employee Indemnification (Chapter 507) Provides that the State shall indemnify its employees in the amount of any cost, attorney's fees, damages, fines or penalties, which may be imposed by reason or adjudication as long as the employee was acting within the scope of this public employment and without intent violated a prior order of judgement.

32-11 Dormitory Authority Power (Chapter 508) Enables the Dormitory Authority to construct and finance dormitories and related facilities for the benefit of students attending the Fashion Institute of Technology in New York City.

32-12 Community College Employees Indemnification (Chapter 521) Amends the public officers law to eliminate a technical conflict with the Education Law provisions relating to defense and indemnification protection for Community College employees.

32-13 Loan Repayment (Chapter 545) Provides for the collection of past due support and defaulted guaranteed student loans from overpayments of New York State income and New York City income taxes due the delinquent borrowers.

32-14 Deferred Compensation Plan (Chapter 547) Establishes a deferred compensation plan for State employees.

32-15 Reimbursement of Criminal Defense Costs (Chapter 565) Provides for reimbursement of defense expenses, upon certification of the Attorney General, for criminal proceedings in a State or Federal Court upon acquittal or dismissal of criminal charges against an employee of a State entity for acts which occur while the employee was acting within the scope of public employment.

32-16 Revision of Small Claims Procedure (Chapter 689) Provides that the Comptroller may audit and certify for payment any claim in the amount of $100.00 or less for injuries to person or property caused by the tort of an officer or employee of the State University provided that the claim shall have been approved for payment by the president of a State-operated university campus or an appropriate designee.

32-17 Vendor Certification (Chapter 698) Eliminates the requirement of a vendor certification on the standard State voucher and allows for the use of the vendor's invoice as a substitute for the certification.

32-18 Regents Awards (Chapter 762) Amends the Education Law to provide Regents awards for all children of deceased police officers, firemen and volunteer firemen who have died as a result of an injury sustained in the line of duty.

32-19 Military Tuition (Chapter 864) Mandates tuition rates for members of the armed forces attending State-operated campuses to be no greater than the resident tuition rate.

32-20 Contracts (Chapter 868) Amends the Taylor Law to make it an improper employee practice to refuse to continue all the terms of an expired agreement until a new agreement is negotiated.

32-21 Appropriation (Chapter 872) Appropriates $125,000 to fund the Economic Development Technical Assistance Center at the State University College at Plattsburgh.

Legislation Not Passed

32-22 Payroll Deduction Plan (Proposal No. 4) Would have authorized a voluntary payroll deduction plan for contributions by State University employees to campus-related foundations.

32-23 Authority to Issue Appearance Tickets (Proposal No. 5) Would have given specific authorization for University Peace Officers to issue appearance tickets.

32-24 State Comptroller Contract Approval Limit (Proposal No. 6) Would increase from $5,000 to $10,000 the monetary amount of State contracts which require approval of the State Comptroller before becoming effective.

32-25 Senior Citizens-Tuition Waiver (2302) Would permit persons 65 years of age or over to take courses for credit at State-operated institutions on a space available basis.

32-26 Community Colleges Equipment Replacement (S 2871) Would authorize the State University Board of Trustees to adopt, with the approval of the Director of the Budget, regulations which would define equipment replacement budget items for community colleges as capital or operating costs. Would provide that community college capital charge-backs may be used to fund the local share of equipment replacement costs which meet the definition of capital items.

32-27 Vietnam Veterans Tuition Waiver (S 4792-A) Would have provided free tuition for Vietnam veterans at SUNY State-operated campuses, CUNY senior colleges, and the community colleges, consistent with monies appropriated. Appropriates $1.25 million to SUNY and $1.25 million to CUNY.

32-28 Rule Wait Period (S 6228-C) Would have provided that no rule other than an emergency measure become effective until thirty days after it is filed with the Secretary of State.

32-29 Computer Service Contracts (S 7888) Would allow BOCES to enter into contract with the State of New York, any community college, agricultural and technical college, or public agency for the provision of computer services.

32-30 Aid Report for Contract Courses (S 8003) Would require the State University to file an annual report with the Governor and the Legislature describing the distribution of base aid for contract courses by region and by business and industry.

32-31 Agency Reports (S 8769) Would require all agencies to review forms and report requirements in order to establish paper work reduction goals; would require annual reports summarizing actions taken in order to achieve such goals.

32-32 Barriers for the Disabled (S 8814-A) Would mandate the elimination of architectural barriers to the use of buildings by disabled persons.

32-33 Regent Scholarships (S 8891) Would mandate that the award for a Regents Scholarship be $250 unless more than 5,000 scholarships are not utilized, in which case, the value of the remaining scholarships would be distributed to those recipients who did receive a scholarship.

32-34 Higher Education Loan Program (S 9202-B) Would create a higher education loan program supplement (HELPS) for ALAS and PLUS borrowers who met the eligibility criteria for remaining need as determined by the Guaranteed Student Loan Program; and provide for subsidy payment of up to 5 percent of the interest on those loans. (Same as Assembly 11990-B)

32-35 Vehicle and Traffic Law (93388-A) Would have amended the Vehicle and Traffic Law to allow the Department of Motor Vehicles to approve certain automotive repair mechanical training courses and to issue documents of approval to those mechanics who have successfully completed the course.

32-36 Agency Consulting Contracts (S 9399) Would have required the Comptroller to report annually to the Legislature on consulting contracts issued by the State agencies in the previous year.

32-37 College of Technology at Utica/Rome (S 9700-A) Would direct the State University Board of Trustees to continue existing programs at the College of Technology at Utica/Rome, until such time as the new permanent facilities of the College of Technology at Utica/Rome in the town of Marcy were complete. (Same as Assembly 12935)

32-38 Mandatory Retirement (100-A) Would eliminate mandatory retirement because of age in both the public and private sectors.

32-39 Declaratory Rulings (1462-B) Would have allowed any person affected by a State statute or rule and an overlapping or duplicative Federal requirement to petition the appropriate State agency for a declaratory ruling as to whether compliance with Federal requirements is sufficient to meet State requirements.

32-40 Energy Research and Development Authority (1493-A) Would expand the membership of the New York State Energy Research and Development Authority to include representatives of private and public colleges and universities and direct that at least 25 percent of the Authority's funds be expended on contracts with colleges and universities.

32-41 Voter Registration (1836-A) Would require voting registration forms to be available in public buildings and public places and provide that each institution of higher learning deliver a form to each unregistered student voter at the time such students register for the school year.

32-42 Methane Generators (5307-A) Would authorize the Department of Agriculture to contract with the Agriculture and Technical College at Canton for design, construction, and operation of methane generators.

32-43 Agency Public Hearings (8004-A) Would have given the Administrative Regulations Review Commission statutory authority to require agencies to hold public hearings before adopting a proposed rule.

32-44 Agency Notice and Comment Periods (8008-A) Would have given the Administrative Regulation Review Commission statutory authority to require agencies to extend notice and comment periods on rules or regulations for an additional 60 days.

32-45 Agency Rule Review (9491-B) Would call for the review of State agency rules after three years by allowing for a 60-day comment period.

32-46 Rule-making Proceedings (9492-A) Would have required "any fee" to be subject to formal rule-making proceedings under the State Administrative Procedures Act.

32-47 Discrimination (12971-A) Would prohibit discrimination against any persons with a disability.

NORTH CAROLINA (33)

Legislation Enacted

33-1 Appropriation Modifications (Chapter 1282) Modifies current operations and capital improvements appropriations for North Carolina State Government for the fiscal year 1982-1983 and makes other changes in the budget operation of the state.

33-2 Appropriation (Chapter 1298) Appropriates funds to the department of Community Colleges for enrollment purposes. $1,517,798 was appropriated to be held in reserve for the State Board of Community Colleges to be used to offset unanticipated overenrollment costs. The funds, however, are not to be used to fund Adult Basic Education programs at the curriculum FTE level but to be distributed among the institutions according to enrollment growth above what was funded in 1981-82.

33-3 Appropriation (Chapter 1305) Appropriates funds ($119,947) for high-cost specialized programs at several technical institutes. Among them are: Marine Technology, Heavy Equipment Operators' Program, Wood Products Program, and Truck Driver Training.

33-4 Appropriations for Capital Construction (Chapter 1328) Appropriates funds to Brunswick Technical College for Capital Construction ($125,000).

33-5 Funds for Activities (Chapter 1335) Appropriates funds for certain activities. Among these was $50,000 to the Department of Community Colleges for renovations, equipment, and related operating costs at the Creedmoor Branch of Vance-Granville Community College.

33-6 Appropriation (Chapter 1383) Appropriates funds to Coastal Carolina Community College to provide equipment for the James S. Melton Vocational Skills Center ($100,000).

33-7 Community College Standards and Liability Insurance (Chapter 1399) Requests a study of community college standards and provides liability insurance for nonteaching personnel.

33-8 Appropriation Act (SB 795) Appropriates $199,208,727 to the Department of Community Colleges.

Legislation Not Passed

33-9 Additional Trustee - Clay County (HB 1419) Would allow the Governor to appoint an additional trustee for Tri-County Community College from Clay County.

NORTH DAKOTA (34)

No Relevant Legislation Identified

OHIO (35)

Legislation Enacted

35-1 Hazing (HB 444) Makes hazing a misdemeanor of the fourth degree and holds students, administration and faculty responsible.

35-2 Capital Appropriations Bill (HB 552) Appropriates a total of $625,000 to higher education facilities for capital expenditures.

35-3 Biennial Budget Bill (HB 694) Appropriates $822.8 million for all of higher education in 1982 and $940.4 million for 1983.

35-4 Budget Correction Bill (SB 530) Made budget cuts and imposed new taxes. Approximately 10 percent was cut from the higher education budget across-the-board (exluding student aid and debt service). This left $47.1 million for the community colleges; $42.9 million for the technical colleges and $27.4 million for university branches.

OKLAHOMA (36)

Legislation Enacted

36-1 Retirement-Retirement Credits (SB 18) Allows members of the Teachers' Retirement system to retire at age 55 with 30 or more years service; allows members up to 5 years credit for service at a private college or university within the state.

36-2 Ethics and Merit Protection Act for State Officials and Employees (SB 340) Creates the Ethics and Merit Commission and describes its responsibilities; prohibits certain activities by state employees.

36-3 Tuition and Grant Aid (SB 400) Amends existing tuition aid grant legislation by allowing state regents to change eligibility to include part-time students carrying at least six credits and graduate students; raises the limits on annual awards from $500-$1,000 or 75 percent of tuition and fees; and, revises the family income eligibility schedule.

36-4 Appropriation (SB 449) Appropriates $399,885,700 to the Oklahoma State Regents for Higher Education.

36-5 Appropriation (SB 452) Implements HB 1706 appropriating to the State Board of Education $4.7 million.

36-6 Appropriation (SB 457) Appropriates to the Commission on Fire Protection Personnel Standards and Education funds intended for use in cooperation with state universities or colleges which provide extension training for firefighters.

36-7 English Proficiency for Higher Education Employees (SB 477) States legislative intent that all alien instructors employed or being considered for employment in the Oklahoma State System of Higher Education be proficient in the English language.

36-8 Tulsa University Center (SB 480) Authorizes and provides for the establishment of a University Center at Tulsa; states that the State Regents for Higher Education shall have governmental control of the program; provides for an advisory board; provides for an evaluation to see if the higher education program is meeting the needs of the upper-level and graduate students.

36-9 Chiropractic Scholarships (SB 565) Provides for the semi-annual award of chiropractic scholarships in the amount of $2,000 through the Board of Chiropractic Examiners.

36-10 Higher Education for McCurtain County (SB 569) Establishes a higher education program for the McCurtain County area; allows the State Regents to accept certain property from McCurtain county; grants power to govern to the State Board of Regents; provides for the creation of a citizen advisory board; authorizes a study of the feasibility of establishing a state-supported junior college to operate with the McCurtain County Higher Education Program.

36-11 Fund Utilization (SCR 43) States legislative intent concerning utilization of certain funds appropriated to the Oklahoma State Regents for Higher Education.

36-12 Transfer Credits (SR 22) Requires state supported institutions of Higher Education to accept transfer credits of students from other state supported institutions of higher education.

36-13 Upper-Division Educational Needs (SR 25) Requests that the Oklahoma State Regents for Higher Education submit to the legislature a further report containing a definitive recommendation that best meets the upper-division educational needs of the Tulsa community.

36-14 Contract Form Use (HB 1317) Requires state agencies to use contract forms developed by the State Board of Public Affairs for capital improvements projects.

36-15 Approved Out-of-State Travel (HB 1401) Authorizes state agencies to purchase commercial airline tickets and all pre-registration fees for all authorized conferences for use by employees in approved out-of-state travel.

36-16 Fee Increases (HB 1439) Increases fees of students at institutions in The Oklahoma State System of Higher Education.

36-17 In-Service Teacher Education (HB 1465) Requires revised plans for use of in-service teacher education, staff development be submitted to the State Board of Education by May 31 of each year beginning with the 1981-82 school year.

36-18 Appropriation (HB 1567) Appropriates to the Department of Economic and Community Affairs including $212,000 to the University of Oklahoma for Juvenile Personnel Training Program.

36-19 Appropriation (HB 1569) Appropriates $275,000 to the Oklahoma Military Department for a scholarship program for state-supported colleges and universities for members of the National Guard.

36-20 County Government Personnel Education and Training Commission (HB 1606) Creates the Commission on County Government Personnel Education and Training to oversee a professional development program for training Oklahoma county officials through the Center for Local Government Technology and Cooperative Extension Service at Oklahoma State University.

36-21 Board of Examiners for Speech Pathology and Audiology (HB 1644) Recreates the Board of Examiners for Speech Pathology and Audiology.

36-22 Appropriation (HB 1654) Appropriates to the Department of Human Services including $8,449,840 to the University of Oklahoma Health Sciences Center.

36-23 American Sign Language Elective (HB 1721) Allows any institution in The Oklahoma State System of Higher Education to offer an elective course in American sign language and grant credit for such course toward satisfaction of a foreign language requirement.

36-24 Travel Reimbursement (HB 1727) Increases reimbursement for meals and lodging for travel while on state business.

36-25 Special Sinking Reserve Fund (HB 1782) Creates the Special Sinking Reserve Fund for purposes of retiring outstanding building bond obligations of the state.

36-26 Rogers State College and Board Responsibilities (HB 1899) Changes the name of Claremore Junior College to Rogers State College; specifies state educational institutions; provides for a Board of Regents of Rogers State College; enlarges the Board; provides oath and compensation of the board; provides for the organization of the board; specifies duties and powers of the board.

36-27 Climatology Survey (HB 1937) Creates the Oklahoma Climatological survey; placing it under the direction of the Board of Regents of the University of Oklahoma.

36-28 Northeastern Oklahoma Agricultural and Mechanical College (HB 1944) Reinstates the name of Northeastern Oklahoma Agricultural and Mechanical College as part of The Oklahoma State System of Higher Education.

36-29 Full Funding for Courses Taught for Extension Credit (HCR 1027) Authorizes certain junior colleges to offer courses for funded residence credit within certain limitations.

36-30 Spring Break Dates (HCR 1032) Resolves that the State Regents, State Board of Vocational and Technical Education, and State Board of Education should cooperate in coordinating dates for spring breaks.

OREGON (37)

Legislation Enacted

37-1 Appropriation (Chapter 32) Appropriates an additional $5,000,000 to community colleges.

37-2 Appropriation (Chapter 831) Appropriates $46,854,836 to community colleges.

PENNSYLVANIA (38)

Legislation Enacted

38-1 FTE Reimbursements (SB 295) Increases reimbursements from $150 to $250 for fiscal year 1981-1982 for each full-time equivalent student enrolled in two-year or less than two year terminal nonliberal arts program.

38-2 Geographic Boundaries and Campus Police (SB 349) Permits security and campus police at any of the state owned or related colleges and universities and community colleges to enter into agreements with the local municipal police to define the geographical boundaries of the area adjacent to the institution in which the security or campus police will have the same authority as the

local police including the right of pursuit and arrest. States that they must receive training if they carry firearms and use them only in emergencies in first and second class cities as well as other municipalities.

38-3 New System of State-owned Universities (SB 506) Amends the Public School Code to establish a system of state-owned universities independent of the Department of Education, governed by a Board of Governors. The system is to be composed of the existing 23 state colleges and Indiana University of Pennsylvania.

38-4 Purposes and Powers of Authorities (SB 562) Defines eligible educational institutions for the act. States purposes and powers of authorities for municipalities, counties and townships, to acquire, construct, improve, maintain and operate projects and to borrow money and issue bonds.

38-5 Retirement Code (SB 618) Amends the Retirement Code to permit individuals receiving a State retirement benefit to be compensated, for up to 100 days per year, for services performed as a member of a state board or commission without termination of their benefits. Requires any annuitant, returning to State service, to resume active membership in the System as of the date of employment, even if the retiree is in an optional membership category.

38-6 Appropriation (SB 929) Appropriates $64,066,000 for capital and operating expenses 1981-82.

38-7 Loan Assistance Fund (SB 1330) Creates an Educational Loan Assistance Fund; authorizes the Pennsylvania Higher Education Assistance Agency to borrow money and issue bonds and other evidence of indebtedness without pledging the credit of the Commonwealth; imposes power and duties upon and authorizes the agency to fund lenders and eligible postsecondary institutions for loans to students and parents and to act as a lender to provide adequate financial aid for undergraduate and graduate students.

38-8 FTE Reimbursements (HB 390) Amends the Community College Act of 1963 and increases the State's reimbursement per full-time equivalent student at a community college from one-third of the net operating costs per student up to $1,800 to one-third of the net operating cost per student up to $2,400. Increases the stipend payment to community colleges for terminal non-liberal arts (TNLA) students from $150 per year to $300 per year per student.

38-9 Library Theft (HB 671) Creates a new criminal offense called "Library Theft." The crime includes concealing library or museum material while still on the premises and/or removing such material from a library without authority and with the intention of keeping it. Provides for procedures and penalties for offenders as well as the responsibilities of peace officers in

these crimes. Requests the display of the new law in all libraries.

38-10 Retirement Cost-of-Living Adjustments (HB 793) Amends the State Employees' Retirement Law and Public School Employees' Retirement Law to provide that the cost-of-living adjustment enacted December 18, 1979 will be applied upon subsequent retirement for those annuitants who would otherwise have been entitled to the annuity adjustment if they had not returned to the State or school service.

38-11 Annual Audits (HB 2468) Provides the procedures for an annual audit of each community college to be conducted by an independent certified public accountant and shall constitute the basis for Commonwealth payment.

38-12 Deferred Payment Plans--Maximum Interest Rates (HB 2558) Enables all colleges and universities both public and private to establish deferred payment plans with students, parents or guardians for tuitions, fees, room or board. Establishes a maximum interest rate of 14 percent on any loan made under the deferred payment plan.

RHODE ISLAND (39)

Legislation Enacted

39-1 Appropriation (H 7205) Appropriates $18,624,636 to the community colleges.

SOUTH CAROLINA (40)

Legislation Enacted

40-1 FTE Count (R 2147, H 2571) Includes military students in the count of full-time equivalent students in the senior colleges and universities of the state for the purposes of determining the appropriations of each institution.

40-2 Finance/Financial-Procedures (R 265, H2608) Authorizes the issuance of additional bonds for higher education capital improvements.

40-3 Credential Fraud (R 323, H 2969) Makes it unlawful to falsify or alter certain diplomas or transcripts or to use certain falsified or altered diplomas or transcripts with the intent to defraud or mislead another person; and, provides penalties for violation.

40-4 Unemployment Benefits (R 472, H 3235) Provides that employees hired by a governmental agency or entity which is established and operated exclusively for the purpose of providing services to one or more educational institutions shall not be eligible for unemployment benefits during the period between terms or semesters if their employment will continue after such period,

and to provide that school employees shall not be eligible for unemployment compensation for any holiday or vacation period during the school year when that period has been placed on the school calendar for that year.

40-5 Appropriation (R 574, H 3711) Appropriates $67,921,786 for technical colleges. Includes general and special funds.

SOUTH DAKOTA (41)

No Relevant Legislation Identified

TENNESSEE (42)

Legislation Enacted

42-1 Tax Exemption (Chapter 555) States that the accommodation for the compensation of tourists or other persons not enrolled at a postsecondary educational institution on a temporary basis in dormitories or other areas not then required for the use of students, faculty or staff shall not be construed to affect the tax exempt status of the property so used.

42-2 Publications and Forms (Chapter 563) Sets forth regulations relative to the state agency publications committee, the higher education publications committee, and forms management.

42-3 Sick Leave Eligibility (Chapter 674) Provides for sick leave eligibility.

42-4 Public Land Leasing (Chapter 704) Provides for the leasing of public land to college fraternities and sororities as well as procedures for competitive construction bids.

42-5 Tax Exemptions (Chapter 713) Provides tax exemptions for certain property of religious, charitable, scientific or educational and nonprofit institutions.

42-6 Voter Registration (Chapter 719) Provides for supplemental voter registration at each degree granting institution of higher education.

42-7 Attendance Bonuses (Chapter 729) Defines eligibility for attendance bonus for unused sick leave.

42-8 Construction Bids (Chapter 770) Provides for bids on state building construction and improvements.

42-9 Retirement and Social Security (Chapter 771) Relates to retirement and social security provisions for public employees and employers.

42-10 Contracts (Chapter 813) Amends the Tennessee Code Annotated relative to contracts between state departments and agencies.

States that agreements for cooperative programs between departments and agencies of the state government, except for agreements with public institutions of higher education, must be approved by the Governor.

42-11 Political Activity of Employees (Chapter 822) Provides that no rule or regulation of the state government shall be more restrictive of the political activity of state employees on leave or during nonworking hours.

42-12 Student Assistance Corporation (Chapter 861) Authorizes the Tennessee Student Assistance Corporation to establish a program of parent loans for undergraduate students.

42-13 Appropriation (Chapter 916) Appropriates $34,586,600 to community colleges and $707,800 to Vocational Technical schools.

42-14 Student Appointment to Board (Chapter 936) Provides for the appointment of student members to the Board of Directors of the Tennessee Student Assistance Corporation.

42-15 Bonds (Chapter 949) Authorizes the state to issue and sell its interest-bearing coupon bonds and bond anticipation notes in amounts not to exceed fifty million dollars for the purpose of building additional facilities for the state institutes of learning and various state institutions. Provides for the necessary repairs, replacements, additions and betterments of buildings and facilities, including the acquisition of real estate and equipment of facilities and to provide for the fund expenditures.

42-16 Student Social Security Benefits (SJR 181) Urges President Ronald Reagan and the Social Security Administration to change the date for ending social security benefits for students from May 31, 1982 July 1, 1982 to allow present high school seniors to graduate and enroll in college.

42-17 Commendation (SJR 218) Commemorates Sarah Elizabeth Hawkins after an 11 year tenure on the Tennessee Higher Education Committee.

42-18 Committee to Study Institutional Expansion (SJR 220) Creates a special joint commission to study the feasibility of the future expansion of the Tri-Cities Technical Institute.

42-19 Name Change (HJR 305) Names the campus of the Nashville Area Vocational-Technical School for Matt Lynch.

42-20 Report Dates (HR 471) Provides for an extension of the reporting date of the task force on education.

TEXAS (43)

Legislation Enacted

43-1 Appropriation (HB 656) Appropriates $396,644,488 to the public junior colleges and state technical institutes.

UTAH (44)

Legislation Enacted

44-1 Appropriations Appropriates $36,216,800 to the Community and Technical colleges.

44-2 Student Loan Collections (HB 10) Authorizes student loan collections by withholding of income tax refunds.

44-3 State Retirement Contributions (HB 12) Authorizes payment by state agencies of all or part of employee's share of retirement contributions to State Retirement System (applies to higher education institutions).

44-4 Out of State Tuition Waivers (HB 103) Authorizes agreements with adjoining states and institutions of higher education for reciprocal waivers of nonresident tuition charges; will assist in stabilizing nonresident enrollments if acceptable reciprocal agreements can be negotiated.

44-5 Student Loan Program (HB 105) Amends student loan statutes to authorize Utah to participate in the "Parent Loan Program," and makes additional technical adjustments to conform to federal regulations.

44-6 Associate of Science Degree at Utah Technical College at Salt Lake (SB 4) Authorizes a three year trial period at Utah Technical College at Salt Lake, parallel to the program authorized last year at Utah Technical College at Provo.

44-7 Revenue Bonds for UTCP Student Center (SB 55) Authorizes student fee bonds to finance expansion of student services facilities at Utah Technical College at Provo.

44-8 Higher Education Retirement Contributions (SB 85) Authorizes higher education institutions to contribute all or part of employee's share of TIAA/CREF retirement contributions.

Legislation Not Passed

44-9 Private Enterprise Act (HB 2) Would have severely restricted or forbidden activities of higher education institutions in competition with private enterprise, including food service, bookstores, on-campus housing and intercollegiate athletics.

44-10 State Agencies Space Acquisition (HB 11) Would have required prior approval by the Legislature, Governor and State Building Board before any state agency or institution could lease or purchase building space.

44-11 Group Contract Purchasing (HB 37) Would have required higher education institutions to participate in group contract purchasing of commonly used materials and supplies under the direction of, and subject to accountability to, the state procurement officer; made institutional presidents and purchasing agents personally liable for the price of any goods purchased in violation of state regulations related to group purchasing, repealed the current statutory authority of institution of higher education to control their own purchasing procedures under supervision of the Board of Regents.

44-12 Governmental Immunity Act Amendments (HB 61) Would have amended Immunity Act to provide for limitations of liability (i.e., $250,00 per injury) for injuries arising out of proprietary functions, and in actions against public employees for which no limits currently apply.

44-13 Cable Television Amendments (HB 63) Would have imposed prohibitions upon the telecasting of "indecent" materials.

44-14 Private Postsecondary School Registration (HB 107) Would have established a procedure by which private postsecondary schools (excluding religious schools) must make a full disclosure to students of school costs, programs, and policies, and in the form of a registration statement filed with the Board of Regents.

44-15 Sick Leave Abuse Incentives (HB 109) Would have provided incentives to reduction in abuse of sick leave by state employees, including payment for 25 percent of accrued but unused sick leave upon retirement.

44-16 Higher Education Classified Employees (HB 139) Would have required classified employees of higher education institutions to be brought into the state employee job classification system and pay plan.

44-17 Private Enterprise Study (HJR 21) Would have called for a study of the extent to which higher education competes with private enterprise.

44-18 Education Governance Constitutional Amendment (HJR 24) Would have amended the constitution to provide for full authority in the Legislature to prescribe for the governance of higher education and vocational education, without regard for the power of the State Board of Education to exercise "control and supervision" over the "public school system."

44-19 Group Contract Purchasing (HJR 32) Would have called for a study of group contract purchasing by higher education.

44-20 Education Governance Constitutional Amendment (HJR 34) Would have amended the constitution in the same manner as HJR 24 but also provided that the Board of Regents should be elected instead of appointed.

44-21 Mineral Lease Allocations (SB 7) Would have changed the formula under which mineral leasing funds would be allocated to higher education institutions. Present formula calls for annual increases equal to CPI or 10 percent, whichever is lower; revised formula would change "lower" to "greater."

44-22 Vocational Education Coordinating Commission (SB 58) Would have created a coordinating commission composed of members of both the Board of Regents and Board of Education (plus citizen members) to plan and coordinate policies for vocational education, and allocate federal vocational dollars, subject to ultimate governance powers of both hands.

44-23 Higher Education Sick Leave Incentives (SB 63) Would have authorized unused sick leave time in excess of eight days per year to be converted to vacation time by employees who have accumulated 18 or more days of sick leave, and required payment for 25 percent of unused sick leave on retirement.

44-24 Higher Education Dental Insurance (SB 66) Would have authorized dental insurance fringe benefits for higher education personnel.

44-25 WICHE Residency (SB 69) Would have authorized the termination of WICHE support for students who terminate Utah residency while studying at an out-of-state institution under WICHE exchange program.

VERMONT (45)

No Relevant Legislation Identified

VIRGINIA (46)

Legislation Enacted

46-1 Purchasing (SB 96) Details procedures for exempt purchases and competitive bidding to be made in accordance with the rules and regulations of the Division of Purchasing and Supply. Ennunciates the public policies pertaining to governmental procurement from nongovernmental sources. Mandates competitive sealed bidding or competitive negotiations. Details acceptance and notification procedures.

46-2 Report Filing (SB 213) Requires that heads of departments, divisions, institutions and agencies of the Commonwealth which prior to July 1, 1982, have been required to furnish annual reports on or before October 20th of each year, shall herinafter furnish their reports biennilly each even-numbered year. The Governor may exempt an agency from this requirement.

46-3 Review of State Government (SJR 35) Implements the provisions of the Legislative Program Review and Evaluation Act of 1978, relating to the systematic review of state government by the Joint Legislative Audit and Review Commission.

46-4 Financial Aid Study (SJR 81) Requests the State Council of Higher Education to conduct a study to determine how Virginia's student financial assistance programs should be structured to continue to promote student access to higher education.

46-5 Appropriation (HB 30) Appropriates $170,976,620 for operating costs and $5,138,200 for capital projects.

46-6 Powers of the Office of Risk Management (HB 125) Directs that property and insurance records be maintained and that all agencies of the commonwealth shall keep the office informed as to the status of all properties under their control. Covers such specifics as inspection of state-owned properties for insurance purposes; insurance, self-insuring, or combination; payment to the State Insurance Reserve Trust Fund by each agency, department, division or institution.

46-7 Senior Citizen Tuition Waivers (HB 580) Entitles senior citizens to attend any state institution of higher education as full or part-time students if their income does not exceed $7,500 for Federal Income Tax purposes with no tuition or fees except for course materials or lab fees. Admissions requirements of the institutons hold and admissions are after all tuition-paying students have been accommodated. They will not be counted in computation of full-time equivalent students by any institution.

46-8 Recruiting Information (HB 680) Permits the principal of any public school to furnish the names and address of pupils presently or formerly enrolled to any officer or employee of a public school, college, university, business, professional school or recruiting representative of the military. The information furnished is for the purpose of informing pupils and former pupils of the educational and career opportunities available in the institution or the military. Information must be used for purposes directly related to the academic or professional goals of the institution or the military force. Misuse of such lists bring Suspension from access for two years. The same conditions will apply to the access of campus and student directories for certain persons and groups.

46-9 School Personnel Immunity (HB 727) Grants civil immunity to school personnel investigating or reporting alcohol or drug use who, in good faith with reasonable cause and without malice, act to report, investigate or cause any investigation to be made into the activities of any students or any other persons as they relate to alcohol or drug use or abuse in or related to the school or institution or in connection with any school or institution activity.

46-10 Vocational-Technical and Career Education Study (HJR 141) Continues the study of the Joint Subcommittee on Vocational-Technical and Career Education to determine how business and industry can be more involved in vocational education programs and in ensuring the relevance of vocational skills which are

taught; identify alternative forms of vocational education, to include more flexible and expansive cooperative programs with business and industry; to identify the incentives necessary for greater business and industry participation in vocational-technical education; and to examine the preparation, recruitment, retention and in-service education of vocational education teachers. Cost not to exceed $3,080.

46-11 Senior Citizen Higher Education Act Study (HJR 142) Requests the State Council of Higher Education to study the Senior Citizens Higher Education Act and its impact on institutions of higher education.

WASHINGTON (47)

Legislation Enacted

47-1 Education Studies (SB 3609) Mandates a study of education from kindergarden to graduate school to be conducted by a temporary committee and reported to the 1983 Legislative session. Also provides $50,000 for a study of program and course duplication in higher education.

47-2 General Administration Authority (SB 4200) Confirms general administration authority to contract for public works on behalf of community colleges.

47-3 Pension Deductions (SB 4468) Clarifies the law governing deductions from pensions for retiree health insurance premiums.

47-4 Form Use (SB 4559) Modifies the forms management program to promote more efficient use of forms.

47-5 Retirement Benefits (SB 4636) Gives authority to the Director of Retirement Systems to correct errors in TRS and PERS benefits which have been previously granted.

47-6 Pension Benefits (SB 4638) Permits lump sum pension benefits under TRS and PERS where the monthly benefit would otherwise be less than $50 per month.

47-7 Unused Vacation Leave (SB 5007) Ends the practice of paying for unused vacation leave upon an employee's termination except in the case of death.

47-8 Retirement (HB 124) Provides for a one-time early retirement program and a requirement that only half the employees who terminate through the rest of the biennium will be replaced. Eligible for early retirement are TRS and PERS members who are 55 years old and have at least five years of service. TIAA/CREF members who are 55 and have ten years of service and anyone with 25 years of service. The TIAA/CREF supplemental benefit will not be actuarially reduced for those under 65. One must retire by January 1, 1983, to take advantage of the program.

47-9 Displaced Homemakers (HB 286) Establishes guidelines under which the council for postsecondary education shall contract to establish multipurpose service centers and programs to provide necessary training, opportunities, counciling and services for displaced homemakers. Appropriates $680,630 to carry out this program.

47-10 Record Retention (HB 357) Shortens by one year the period during which certain records must be retained.

47-11 Cosmetology Program Regulations (HB 378) Modifies regulations for approval of cosmetology programs.

47-12 Confidential Library Records (HB 476) Exempts from public disclosure library lists which could be used to identify library users.

47-13 Energy Conservation Program (HB 658) Modifies the state's facility energy conservation program.

47-14 Fee Exemptions/Short-Term Loans/Appropriations (HB 784) Amends the definitions of resident student, nonresident student and dependent student. Provides exemptions from tuition and fee differentials to certain nonresident students. Gives the Board of Trustees or Regents of the state's regional universities and community colleges the authority to waive tuition and fees in certain instances. Provides for additional charges to students taking more than 18 credits per term and states exemptions to this. States that short term loans are not to be given to anyone who has defaulted on a loan. Appropriates $550,000 to the council on postsecondary education to be used to supplement the state financial aid programs.

47-15 Role of the General Administration (HB 810) Strengthens the role of the general administration in acquiring real property for community colleges and requires agencies to pay for the services of the General Administration Division of Real Estate.

47-16 Incentive Pay Program (HB 837) Establishes an optional incentive pay program through which employees can receive a share of savings from efficiencies.

47-17 Community College Financial Systems (HB 1036) Permits the State Board to join the Community College System Financial and Payroll Systems.

47-18 Civil Service Reform Bill (HB 1226) Requires the Personnel Board to devise a performance evaluation system by April, 1983. The process will begin to be implemented in July, 1984. Permits employers to interview five rather than three candidates for a job opening. Limits the Guaranteed right to return from an exempt position to a classified position to four years or with HEPB approval, eight years. Classified step increases, merit increases for administrative exempt employees, and layoffs will be based in part on performance under the provisions of the bill.

47-19 Displaced Homemakers Appropriations (HB 286) Appropriates $244,000 to carry out the displaced homemaker program and extends the act until June 30, 1987.

47-20 Budget and Accounting Procedures (SB 5033) States policies related to the budget and accounting procedures. Provides that the allotments to the superintendent of public instruction for support of statewide programs shall not be reduced by more than 1 percent of the biennial appropriation.

Legislation Not Passed

47-21 Comparable Worth for Salaries (SB 4769) Would have provided for the revision of comparable worth salary scales for state employees including higher education.

47-22 Commission for Vocational Education/Duplication of Programs (SB 4738) Would have defined "state plan" for vocational education and "special needs." Would have outlined the duties and regulations of the commission for vocational education. Would have stated the commission be the recipient and allocator of state funds. Would have prohibited the publicly supported institutions from duplicating the services of nonpublic services unless the latter would not meet current or projected needs. Would have transferred vocational education staffs, records and equipment currently in the custody of the superintendent of public instruction and the state board for community college education to the commission for vocational education.

47-23 Administrative/Governing Bodies--Institutional Growth/Restrictions on Growth (SB 4738) Same as Substitute Senate Bill 4738.

WEST VIRGINIA (48)

Legislation Enacted

48-1 Policy Bulletins (SB 34) Requires the Board of Regents to file policy bulletins with the Secretary of State for the state region.

48-2 Forced Retirement (SB 267) Prohibits forced retirement of college or university professors with unlimited tenure prior to age 70.

48-3 Board Powers (SB 579) Relates to tuition and fees; board meetings; board meetings with certain groups; establishes and defines certain board powers and duties; replaces institutional advisory boards with boards of advisors.

48-4 Private Proprietary Institutions (HB 2025) Defines higher education institutions to include private proprietary educational institutions within the state operated for profit and provides that previously granted rights shall not be infringed.

WISCONSIN (49)

Legislation Enacted

49-1 Budget Bill (AB 66) Appropriates $83,429,700.

49-2 VTAE Statutes (AB 718) Creates statutes, related to various changes in the statutes pertaining to vocational, technical and adult education and granting rule-making authority. Limits the term of the president and district chairperson of VTAE.

49-3 Displaced Homemakers Program (AB 840) Transfers responsibility for the displaced homemakers' program from the department of health and social services (DHSS) to the state board of vocational, technical and adult education (state VTAE board), and changes the form of that program. Provides that the state VTAE board shall accept and process applications from district VTAE boards and local community organizations to provide services to or on behalf of displaced homemakers. Specifies that district VTAE boards may apply for and spend grant funds for displaced homemakers' programs and may spend those funds for contracts with the local community organizations. The bill restores the appropriation for the displaced homemakers' program which was vetoed by the governor. Directs that any cost to the state VTAE board of administering this program shall be paid from the board's existing general program operations appropriations.

49-4 Resource Sharing (AJR 10) Directs the legislative council to conduct a study in regard to the duplication of, and improving the coordination and sharing of, programs and facilities between the University of Wisconsin system and the vocational, technical and adult education system. The legislative council must report its findings and recommendations to the 1983 legislature when it convenes.

Legislation Not Passed

49-5 Nonresident Education Attendance (SB 464) Would have provided that a nonresident of a vocational, technical and adult education district attend the schools of that district if he or she lives nearer to those schools than to the schools of his or her own district. The district board of residence would be liable for the nonresident fee charged by the district of attendance.

49-6 Course Approval and Fees (AB 142) Would have required district boards to charge the students enrolled in a course of study which is neither vocationally oriented nor transferable to a four-year institution of higher education with a fee sufficient to offset all costs of offering the course of study. In addition, the bill would have prohibited the state board from approving any such course unless the district board charges such a fee.

49-7 Boards and VTAE Systems (AB 330) Would have amended the policy for the election and terms of district boards governing the state's vocational, technical and adult education system. Would also have made several changes in the statutes relating to the VTAE such as: record audits; vocational training for those in high school; compensation of district directors; tax levy limits; board member salaries and code of ethics; budget format; and district board written policies.

WYOMING (50)

Legislation Enacted

50-1 Appropriation (Chapter 65) Appropriates $57,877,457 to community colleges.

DISTRICT OF COLUMBIA (51)

Legislation Enacted

51-1 Salary Increments (Act 4-126) Approves the Board of Trustees' of the University of the District of Columbia proposed 7 percent cost-of-living and one-time bonus for fiscal year 1983 to existing salary and pay schedules for certain employees in the Educational Services not covered by collective bargaining.

51-2 Budget Approval (Act 4-162) Approves the 1983 budget request for the District of Columbia government. $58,342,400 is allocated for the University of the District of Columbia.

51-3 Compensation Agreement Approval (PR 4-204) Approved the negotiated compensation agreement between the Board of Trustees of the University of the District of Columbia and Local 2087, District Council 20, AFSCME.

Legislation Not Passed

51-4 Licensing (Bill 4-189) Would have enabled the Educational Institution Licensure Commission to carry out its mandate to license and regulate the various categories of schools to include nondegree granting institutions such as proprietary schools. Would have amended provisions of the Education Licensure Commission Act of 1976 and provide for the promulgation of regulations, and penalties for violations of the act.

51-5 Police and Firefighters' Cadets Program (Bill 4-440) Would have created an educational program for young adults (aged 18-23) who are District of Columbia residents and are interested in being police or firefighter cadets.

GUAM (52)

No Relevant Legislation Identified

PUERTO RICO (53)

No Relevant Legislation Identified

VIRGIN ISLANDS (54)

No Relevant Legislation Identified

APPENDIX B
INDEX TO LEGISLATION

Arrangement

The seven major categories are listed followed by each of their subgroups. The minor subgroups are then arranged with the enacted legislation appearing first. This is followed by the legislation which failed, and finally that which was still pending when this analysis began.

The first number of each two number entry is the jurisdiction numeric. Each jurisdiction is listed alphabetically (states appearing first, followed by the U.S. Federal District and U.S. territories) and is assigned a reference number. These identification numbers are found on Table 1. The second number in the two number set simply refers to the numeric assigned to the piece of legislation within the individual jurisdiction. For example, 2-6 refers to the six pieces of legislation found in Appendix A under the second state, Alaska.

Appendix A, the Abstracts of State Legislation Relating to Postsecondary Education, can be used quite handily with this appendix to give a concise analysis of each piece of legislation found in the major categories or minor subgroups.

FINANCE

Appropriations

Enacted Legislation: 2-1; 2-2; 3-15; 5-22; 7-18; 7-20; 8-1; 9-22; 9-23; 11-1; 11-5; 11-15; 12-3; 13-2; 15-7; 18-1; 18-20; 19-5; 20-3; 21-2; 22-1; 23-4; 24-3 24-4; 25-2; 27-1; 27-3; 27-4; 27-5; 29-1; 31-2; 31-3; 31-6; 32-5; 32-6; 32-7; 32-8; 32-21; 33-2; 33-3; 33-5; 33-8; 35-3; 35-4; 36-4; 36-5; 36-6; 36-18; 36-19; 36-22; 37-1; 37-2; 38-6; 39-1; 40-5; 42-13; 43-1; 44-1; 46-5; 47-9; 49-1; 50-1 51-2.

Legislation Not Enacted: 18-24; 32-27.

Pending Legislation: 13-5; 13-6; 13-7; 13-10; 31-8.

Capital

Enacted Legislation: 2-1; 2-2; 18-13; 20-5; 23-3; 31-1; 31-4; 31-5; 33-4; 33-6; 35-2; 46-5.

Legislation Not Enacted: 18-22.

Pending Legislation: 31-7; 31-9; 31-20.

Financial Procedures

Enacted Legislation: 3-2; 3-3; 3-4; 3-5; 3-6; 3-9; 3-10; 3-11; 3-13; 3-17; 3-19; 5-4; 5-6; 5-7; 5-8; 5-9; 5-13; 5-15; 5-20; 5-23; 5-28; 5-33; 5-35; 5-37; 5-38; 5-40; 5-41; 5-43; 5-45; 5-46; 5-51; 5-52; 5-55; 6-2; 6-4; 7-1; 7-2; 7-6; 7-8; 7-10; 7-11; 7-15; 7-16; 7-19; 8-2; 9-5; 9-10; 9-11; 9-12; 9-21; 9-24; 9-26; 9-32; 10-3; 10-6; 10-7; 10-8; 10-33; 11-2; 11-16; 11-17; 12-2; 13-1; 13-3; 15-1; 15-2; 15-6; 15-9; 15-10; 15-11; 15-12; 15-13; 16-1; 16-2; 16-3; 16-5; 16-6; 16-7; 16-9; 16-10; 16-12; 17-1; 17-5; 18-4a; 18-4b; 18-5a; 18-5b; 18-7; 18-8a; 18-8b; 18-11; 18-12; 18-14; 18-15; 18-17; 19-2; 19-3; 20-1; 20-2; 20-6; 20-7; 21-3; 23-7; 23-11; 24-2; 24-7; 24-13; 24-14; 25-1; 25-4; 32-2; 32-9; 32-13; 32-14; 32-15; 32-16; 32-17; 33-1; 36-11; 36-13; 36-24; 36-25; 36-29; 38-1; 38-4; 38-7; 38-8 38-11; 38-12; 40-1; 40-2; 42-1; 42-4; 42-5; 42-8; 42-9; 42-10; 42-15; 43-3; 44-2; 44-4; 44-7; 44-8; 46-1; 47-2; 47-3; 47-14; 47-15 47-17; 47-20; 49-2; 49-3; 51-3.

Legislation Not Enacted: 3-24; 3-25; 3-30; 3-31; 13-11; 18-23; 24-15; 32-22; 32-36; 44-9; 44-10; 44-11; 44-12; 44-19; 44-21; 49-5; 49-7.

Pending Legislation: 8-5; 8-6; 8-7; 8-8; 8-9; 8-10; 8-12; 8-16; 8-17; 11-26; 11-27; 15-14; 15-15; 15-16; 25-5; 25-6; 30-16; 30-17; 30-18; 30-19; 32-24; 32-26; 32-29; 32-30; 32-40; 32-42.

ADMINISTRATION

Governing Bodies

Enacted Legislation: 1-1; 2-3; 3-21; 5-16; 5-18; 5-52; 6-3; 7-4; 8-2; 9-8; 9-15; 9-31; 10-14, 10-15; 10-27; 10-28; 11-13; 13-3; 15-11; 17-1 17-2; 18-9; 21-4; 23-6; 24-6; 24-9; 24-11; 24-13; 25-1; 36-8; 36-10; 36-21; 36-26; 46-6; 48-3; 49-2; 49-3.

Legislation Not Enacted: 13-9; 32-43; 32-44; 44-20; 47-22; 47-23; 49-7; 51-4.

Pending Legislation: 8-10; 8-18; 9-37; 19-6; 25-10; 30-15; 33-9.

Process of Policy Formation

Enacted Legislation: 1-1; 3-2; 3-7; 3-10; 3-20; 5-7; 5-11; 5-21; 5-29; 5-48; 6-4; 7-1; 7-2; 7-3; 7-5; 7-7; 7-8; 7-12; 7-15; 7-16; 9-3; 9-4; 9-8; 9-12; 9-14; 9-20; 9-24; 9-31; 13-3; 15-5; 15-6; 15-8; 15-10; 16-4; 16-10; 16-12; 17-1; 17-5; 18-5a; 18-5b; 20-4; 23-2; 24-8; 24-10; 30-4; 30-5; 32-11; 36-2; 36-20; 38-2; 38-4; 42-2; 42-10; 46-6; 47-2; 47-5; 47-18; 48-4; 49-2; 49-3.

Legislation Not Enacted: 17-7; 32-23; 32-39; 32-43; 32-44; 32-46; 44-18; 49-7; 51-4.

Pending Legislation: 9-38; 24-16; 30-14; 30-19; 32-26; 32-37; 32-40; 32-45.

Administrative Operations

Enacted Legislation: 3-1; 3-14; 3-16; 5-3; 5-10; 5-15; 5-26; 5-29; 5-30; 5-39; 5-42; 5-49; 5-50; 5-52; 5-58; 9-4; 9-7; 9-18; 9-27; 9-30; 9-34; 10-2; 10-4; 10-6; 10-11; 10-14; 10-17; 10-20; 10-21; 10-22; 10-23 10-24; 10-34; 10-35; 10-38; 15-8; 16-3; 16-7; 16-8; 18-3; 18-5a; 18-5b; 18-6; 18-7; 18-11; 18-12 18-15; 18-16; 19-4; 24-5; 25-3; 28-1; 30-1; 32-1; 32-2; 32-3; 36-12; 36-14; 36-17; 36-26; 38-9; 40-3; 42-2; 46-2; 46-6; 46-7; 46-8; 47-4; 47-8; 47-10; 47-12; 47-13; 48-1; 48-3; 49-2.

Legislation Not Enacted: 32-22; 32-28; 44-9; 44-14; 44-16; 49-6; 49-7.

Pending Legislation: 3-23; 3-26; 3-32; 8-20; 9-37; 25-6; 30-11; 32-30; 32-31; 32-41.

Coordination

Enacted Legislation: 5-36; 5-46; 7-5; 7-7; 7-10; 9-36; 10-13; 10-29; 18-19; 36-30; 38-2; 38-3.

Legislation Not Enacted: 44-22.

Studies and Surveys

Enacted Legislation: 5-1; 6-4; 7-11; 7-13; 9-17; 9-30; 10-36; 10-37; 11-7; 11-8; 11-9; 11-10; 11-11; 11-12; 11-14; 11-19; 11-20; 11-21; 11-22; 11-23; 11-24; 18-18; 18-19; 18-22; 31-6; 33-7; 36-8; 36-10; 36-13; 36-27; 42-18; 42-20; 46-3; 46-4; 46-10; 46-11; 47-1; 49-4.

Legislation Not Enacted: 44-17.

Pending Legislation: 5-57; 31-11.

Enabling Legislation

Pending Legislation: 32-42.

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Enacted Legislation: 9-1; 9-13; 9-36; 11-18; 11-25; 17-3; 17-4; 17-6; 21-1; 42-6; 42-16; 42-17.

PHYSICAL FACILITIES

Building Codes

Enacted Legislation: 10-30.

Pending Legislation: 3-28.

Construction Procedures

Enacted Legislation: 5-14; 9-28; 10-12.

Pending Legislation: 32-32.

Facility Regulations

Enacted Legislation: 7-3; 7-9; 9-11; 9-25.

Pending Legislation: 15-15; 25-9.

INSTITUTIONAL GROWTH

New Institutions

Enacted Legislation: 5-34; 7-17; 36-8; 36-10.

Institutional Expansion

Enacted Legislation: 3-10; 9-5; 9-33; 23-5; 23-7; 23-11; 27-6; 28-1; 30-8; 38-3; 42-18; 44-7; 47-9.

Pending Legislation: 25-5.

Name Changes

Enacted Legislation: 21-1; 36-26; 36-28; 42-19.

Restrictions on Growth

Legislation Not Enacted: 47-22; 47-23.

PERSONNEL

Employee Benefits

Enacted Legislation: 3-18; 5-15; 5-19; 5-31; 5-32; 5-38; 5-47; 9-2; 9-4; 9-7; 9-9; 9-13; 9-24; 9-29; 10-3; 10-7; 10-9; 10-18; 11-4; 15-3; 16-5; 16-7; 20-1; 20-2; 23-6; 23-8; 23-9; 23-10; 24-5; 24-10; 32-9; 32-10; 32-12; 32-15; 33-7; 36-1; 36-26; 38-5; 38-10; 40-4; 42-3; 42-7; 42-9; 44-3; 44-8 47-5; 47-6; 47-7; 47-8; 47-16; 51-1; 51-2.

Legislation Not Enacted: 44-15; 44-23; 44-24; 47-21; 49-7.

Pending Legislation: 8-17; 30-17.

Rights, Responsibilities and Regulations

Enacted Legislation: 3-5; 5-12; 5-19; 5-27; 5-28; 5-32; 5-47; 5-56; 7-14; 9-4; 9-16; 9-18; 9-27; 10-5; 10-7; 10-10 10-16; 10-19; 10-26; 16-2; 18-2; 18-3; 18-10; 23-6; 23-8; 23-9; 24-11; 27-2; 28-1; 32-10; 32-12; 32-15; 32-20; 33-7; 35-1; 36-2; 36-7; 36-24; 36-26; 38-2; 38-5; 42-11; 46-9 47-3; 47-18; 48-2; 49-2.

Legislation Not Enacted: 44-12; 49-7.

Pending Legislation: 3-27; 3-29; 8-7; 8-8; 8-9; 8-11; 8-12; 8-13; 8-14; 8-15; 25-7; 30-12; 30-13; 32-38; 32-47.

Collective Bargaining

Enacted Legislation: 3-1; 7-14; 23-1; 23-9; 30-3; 51-3.

Legislation Not Enacted: 13-4.

Pending Legislation: 13-8; 25-8.

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Rights and Responsibilities

Enacted Legislation: 2-3; 3-12; 5-24; 5-25; 5-28; 5-43; 10-5; 11-2; 11-16; 12-1; 18-10; 21-3; 23-2; 23-7; 24-8; 28-1; 30-6; 32-4; 32-13; 35-1; 36-12; 40-3; 42-14; 44-2; 46-11.

Legislation Not Enacted: 24-15; 44-14; 49-5.

Pending Legislation: 8-4; 11-27; 30-11; 32-25; 32-47.

Tuition and Fees

Enacted Legislation: 5-24; 6-4; 7-10; 11-6; 12-1; 13-3; 32-19; 36-16; 46-7; 47-14; 48-3.

Legislation Not Enacted: 13-9; 49-6.

Pending Legislation: 9-37; 25-10.

Student Aid

Enacted Legislation: 3-8; 3-9; 5-2; 5-4; 5-17; 5-18; 5-22; 5-45; 6-1; 7-6; 7-15; 8-2; 9-6; 9-17; 9-24; 9-32; 12-2; 15-14; 16-6; 18-8a; 18-8b; 19-1; 20-3; 20-4; 20-7; 30-2; 30-6; 30-9; 31-2; 32-18; 36-3; 36-9; 36-19; 38-7; 42-12; 42-16; 44-4; 44-5; 46-7; 47-14.

Legislation Not Enacted: 8-19; 13-6; 13-7; 18-25; 32-27; 44-25.

Pending Legislation: 8-3; 8-5; 8-6; 13-12; 32-25; 32-33; 32-34.

ACADEMIC PROGRAMS

Curriculum

Enacted Legislation: 5-44; 5-53; 5-54; 6-4; 9-1; 9-35; 10-1; 10-11; 10-12; 10-24; 10-31; 10-32; 11-1; 36-20; 36-23; 47-9; 47-11.

Legislation Not Enacted: 32-35; 44-13; 51-5.

Pending Legislation: 3-22; 5-5; 8-18; 13-12; 31-8.

Enacted Legislation: 5-44; 5-53; 5-54; 6-4; 9-1; 9-35; 10-1; 10-11; 10-12; 10-24; 10-31; 10-32; 11-1; 36-20; 36-23; 47-9, 47-11.

Legislation Not Enacted: 32-35; 44-13; 51-5.

Pending Legislation: 3-22; 5-5; 8-18; 13-12; 31-8.

Accreditation and Cetification

Enacted Legislation: 6-1; 9-19; 10-15; 10-31; 16-11; 24-1; 24-9; 24-12; 44-6.

Legislation Not Enacted: 17-7; 32-35.

Pending Legislation: 8-18.

APPENDIX C

FINANCIAL LEGISLATION AFFECTING COMMUNITY, JUNIOR AND TWO-YEAR TECHNICAL COLLEGES, TYPE OF IMPACT, 1982

Arrangement

Individual bills affecting financial procedures are listed below. These are arranged according to a classification scheme with eight subcategories. Enacted legislation appears first, followed by legislation not enacted. The legislative identification numbers used for each bill are the same as those used throughout this report as well as in Appendices A and B.

Tax Structure and Policy

Enacted Legislation: 5-20; 5-23; 5-35; 5-37; 5-55; 9-21; 9-26; 16-9; 18-17; 24-7; 42-1; 42-5.

Legislation Not Enacted: 11-27; 13-11; 15-16.

More Institutional Flexibility

Enacted Legislation: 3-2; 3-5; 3-7; 3-8; 5-15; 5-38; 5-46; 6-2; 7-1; 7-8; 7-15; 7-19; 9-5; 10-6; 10-33; 13-3; 15-1; 15-6; 15-11; 15-12; 16-5; 16-6; 16-12; 17-5; 18-5a; 18-5b; 18-7; 18-12; 19-3; 23-7; 23-11; 25-1; 36-29; 38-12; 42-10; 44-4; 44-14.

Legislation Not Enacted: 15-14; 15-15; 24-15; 26-5; 32-24; 32-36.

Less Institutional Flexibility

Enacted Legislation: 3-13; 3-19; 5-28; 5-51; 18-14; 46-1.

Legislation Not Enacted: 3-25; 44-9; 44-10; 44-11.

More State Control

Enacted Legislation: 3-10; 5-52; 7-2; 7-11; 11-17; 24-13; 24-14; 32-2; 32-13; 36-11; 38-4; 42-15; 44-2; 47-2; 47-15.

Legislation Not Enacted: 3-24.

More Funds

Enacted Legislation: 5-40; 5-45; 7-6; 7-10; 8-2; 9-24; 9-32; 12-2; 16-1; 20-7; 25-4; 36-25; 38-1; 38-7; 38-8; 40-2; 44-7; 49-3.

Legislation Not Enacted: 8-5; 8-6; 25-5; 30-16; 32-40.

Less Funds

Auditing/Accounting

Enacted Legislation: 3-3, 5-41; 15-2; 16-2; 32-16; 38-11; 47-20.

Procedural

Enacted Legislation: 3-4; 3-6; 3-9; 3-11; 3-18; 5-4; 5-6; 5-9; 5-13; 5-22; 5-33; 5-43; 6-4; 7-16; 9-10; 9-12; 10-3; 10-7; 10-8; 11-2 12-16; 13-1; 15-9; 15-10; 15-13; 16-3; 16-7; 16-10; 17-1; 18-4a; 18-4b; 18-8a; 18-8b; 18-11; 18-15; 19-2; 20-1; 20-2; 20-6; 21-3; 24-2; 32-9; 32-14; 32-15; 32-17; 33-1; 36-13; 36-24; 40-1; 42-4; 42-9; 44-8; 47-3 47-17.

Legislation Not Enacted: 3-30; 3-31; 8-7; 8-8; 8-9; 8-10; 8-12; 8-16; 8-17; 11-26; 18-23; 30-17; 30-18; 30-19; 32-22; 32-29; 32-30; 32-36; 34-42; 44-12; 44-19; 44-21; 49-5; 49-7.

APPENDIX D

ADMINISTRATIVE RELATED LEGISLATION

ACCORDING TO LEVEL AND TYPE OF IMPACT

Arrangement

Individual administrative legislative items are listed below. These are arranged according to both level and type of impact. The first major division separates the items according to level of influence. Those with institutional or local impact appear first, followed by those with state impact, and, lastly, those with both an institutional and state level impact. Each of these three major categories are further separated into two larger groupings. The first are mandatory bills and the second are permisssive bills. Finally, each mandatory or permissive category is subdivided according to three types of impact. These divisions are erosive, supportive and procedural.

The legislative identification numbers used for each bill are the same as those used throughout this report as well as in Appendices A and B.

LOCAL

Mandatory

Erosive: 3-10; 7-3; 7-10; 9-3; 9-4; 9-20; 9-34; 9-37; 9-38; 10-4; 10-14; 10-21; 10-22; 13-9; 16-4; 16-8; 16-10; 24-16; 24-16; 25-6; 28-1; 30-14; 30-19; 32-43; 32-44; 32-46; 36-12; 36-26; 44-9; 47-2; 48-3; 51-4.

Supportive: 5-16; 9-30; 25-10; 28-1; 30-14; 36-10; 38-2; 38-4; 40-3; 42-10; 48-4.

Procedural: 5-18; 5-30; 5-31; 5-49; 5-52; 5-58; 7-2; 7-16; 8-10; 8-18; 8-20; 9-1; 9-24; 9-24; 9-24; 9-24; 10-20; 10-35; 13-3; 18-3; 18-11; 18-15; 18-16; 24-16; 24-16; 25-3; 30-1; 30-11; 32-30; 32-37; 32-41; 36-14; 38-2; 44-14; 46-2; 46-6; 48-1.

Permissive

Erosive: 6-4; 7-15.

Supportive: 5-3; 5-7; 5-11; 5-15; 5-21; 5-46; 5-48; 5-50; 7-1; 7-8; 9-24; 13-3; 15-6; 16-12; 18-5a; 18-5b; 20-4; 24-5; 24-8; 24-10; 25-1; 30-4; 30-5; 32-11; 32-23; 32-26; 46-8.

Procedural: 9-24; 9-24; 9-27; 15-8; 32-22.

STATE

Mandatory

Erosive: 3-1; 3-16; 5-52; 6-3; 9-24; 9-34; 10-23; 10-38; 15-8; 16-3; 16-7; 28-1; 32-3; 32-40; 42-2; 44-2; 46-7; 47-22; 47-23; 49-2; 49-7.

Supportive: 1-1; 3-10; 3-20; 5-10; 5-42; 6-4; 7-3; 7-4; 7-5; 7-7; 9-12; 9-15; 9-37; 9-38; 10-4; 10-20; 10-22; 10-25; 10-27; 10-28; 10-29; 11-13; 17-7; 18-19; 19-6; 24-13; 32-2; 32-43; 32-44; 36-2; 36-8; 36-20; 36-21; 38-3; 42-10; 44-16; 44-18; 44-22; 47-2; 51-4.

Procedural: 3-7; 3-20; 3-21; 5-29; 5-36; 5-58; 7-2; 7-10; 8-18; 9-8; 9-14; 9-18; 9-20; 9-31; 10-17; 10-32; 10-34; 13-9; 17-1; 17-2; 18-6; 18-21; 19-4; 21-4; 23-6; 24-9; 24-11; 30-15; 32-45; 38-9; 46-3; 49-3.

Permisive

Erosive: 18-7.

Supportive: 3-32; 5-39; 7-12; 7-15; 8-2; 13-3; 15-5; 15-11; 18-12 23-2; 36-30; 47-5.

Procedural: 2-3; 3-2; 9-7; 9-27; 9-36; 15-10; 17-5; 18-9; 24-6; 33-9; 28-2; 42-14; 47-8.

STATE AND LOCAL

Mandatory

Erosive: 3-14; 3-23; 5-26.

Supportive: 3-23; 3-26; 9-4; 47-10.

Procedural: 10-11; 10-13; 10-24; 32-1; 32-28; 32-31; 36-17; 47-4.

Permissive

Erosive: None

Supportive: None

Procedural: 32-39; 47-18.

APPENDIX E

LETTERS OF INQUIRY AND FOLLOW-UP

THE PENNSYLVANIA STATE UNIVERSITY
CENTER FOR THE STUDY OF HIGHER EDUCATION
325 POND LABORATORY
UNIVERSITY PARK, PENNSYLVANIA 16802

Area Code 814
865-6346

August 16, 1982

Dear

With this letter you are getting a complimentary copy of State Legislation Affecting Community, Junior, and Two-Year Technical Colleges, 1981, the latest report from an annual cooperative effort of the Council and the Center for the Study of Higher Education. The document includes (1) the review and analysis of 1981 legislative information from all 50 of the states and Puerto Rico, (2) abstracts of nearly 400 enactments and proposals seriously considered in 1981, and (3) a report on the companion survey of state director perspectives of frameworks for establishing cooperatives to provide lifelong learning at substate levels. Thank you for helping produce the report. Please let us know how you put it to use.

We turn now immediately to work on the report on the 1982 legislative sessions and again call on your help to get it done. Specifically, we request these actions on your part: (1) send to us as soon as possible copies of all laws passed in your state in 1982 which you believe directly or indirectly influenced this level of education -- community, junior, or two-year technical colleges, branch campuses of universities, etc. -- public or privately controlled; and (2) similarly send along copies of proposals of such legislation which were seriously considered but not enacted; bills reported out of committee for further legislative attention are defined as seriously considered, and (3) please send also copies of other relevant documents such as joint legislative resolutions, abstracts from legislative reference reports, newsletter series provided by your office or other state agencies on 1982 legislation, etc. Please note, only copies of these materials are needed; just gather them up and send them along; we will take it from there. Please include in the materials you send copies of 1982 appropriations acts (either general or special) which provide funds for associate-degree granting colleges of any type in your state.

AN EQUAL OPPORTUNITY UNIVERSITY

Our companion survey this year is somewhat different from those of recent years which focussed on specific subjects of state-level interest. This year we would like a letter from you speaking to two questions. (1) What are the three top ranking issues that you see will attract special and serious legislative attention in your state in the upcoming 1983 session? In the order of strength of legislative interest anticipated, tell us briefly the nature of the subject and why the legislative interest will likely be on it; and (2) Were any court cases bearing significantly on two-year colleges decided between July 1, 1981 and June 30, 1982? If so, please send copies of materials describing the case or tell us where we can get them. Our plan is to compile a short report based on replies to those two questions and make the results available in the progress reports on the 1982 survey of state legislation which we will present at the fall meeting of the Council. This will put it in your hands before the 1983 sessions; but to meet this target we need your letter and answer especially to question #1 right away.

Finally, a request to help improve the usefulness of this annual survey and related reports to the field. Do you have any suggestions to offer by which the cooperative effort can be made better? If you do, please let us know. Again, thanks very much for your continued interst, cooperation, and support.

Very cordially yours,

S..V. Martorana
Professor of Higher Education
and Research Associate

SVM/amb
Enclosure
cc: Ms Patricia C. Corbett
Project Assistant

THE PENNSYLVANIA STATE UNIVERSITY
CENTER FOR THE STUDY OF HIGHER EDUCATION
325 POND LABORATORY
UNIVERSITY PARK, PENNSYLVANIA 16802

Area Code 814
865-6346

October 6, 1982

Dear

This is to follow up on our earlier request for information from your state on which to base compilation of the Eighth Annual National Survey and Report on State Legislation related to community, junior, and two-year technical colleges or other institutions which provide similar types of educational programs and services. In August we wrote sending you a copy of the 1981 report and asking for your help in getting needed information on 1982 legislative actions; we also asked for replies to other related queries.

To date we have not had a response to our request but continue to need and want it. To facilitate your checking and action to provide the help we need we are enclosing a copy of the letter sent originally. Please send us the information needed or indicate what else we should do to expedite obtaining it. For the last several years, all fifty states were covered in the report, and we want very much to be able to repeat that accomplishment in reporting on this year's legislative activity as well.

Thank you again for your continued interest and support.

Very truly yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

SVM/pmd
Enclosure (August letter)
cc: Ms. Patricia C. Corbett
Project Assistant

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AN EQUAL OPPORTUNITY UNIVERSITY

THE PENNSYLVANIA STATE UNIVERSITY
CENTER FOR THE STUDY OF HIGHER EDUCATION
325 POND LABORATORY
UNIVERSITY PARK, PENNSYLVANIA 16802

Area Code 814
865-6346

December 17, 1982

Dear

At the recent meeting of the NCSDCJC's you received a copy of the preliminary report on 1982 legislative activity affecting community, junior, and two-year technical colleges. We are distributing the preliminary report for three reasons: (1) to make at least an early view of results of 1982 legislative activity available for its possible use as you face the start of the 1983 sessions; (2) to get from those states providing information on which basis the preliminary report is prepared, a check on the material reported, and; (3) to indicate to states not yet reporting to us on 1982 legislative activity how important it is that the information be provided so that we can this year, as for the last two years, have 100 percent coverage of the nation in producing the final report that will be distributed next Spring.

To date we have not received any of the needed information although we requested it on August 16th and October 6th from your state. Besides making available the preliminary report, therefore, we are sending another copy of the first lettter of request for information on 1982 legislation activity and a related set of questions. Will you please send your reply as soon as possible?

Your past cooperation in this project is very much appreciated and we would like to have it continue. If there is any question about it please call me or Ms. Patricia C. Corbett, Project Assistant, at: 814-865-8367. Many thanks.

Sincerely,

S.V. Martorana
Professor of Higher Education
and Research Associate

SVM/amb
Enclosures
cc: Ms Patricia C. Corbett
Project Assistant

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APPENDIX F
DATA RECEIVED
POST-ANALYSIS

Legislative Items

Guam

Appropriations, Retroactive Employee Benefits (Public Law 16-100)

Appropriates $2,600,000 to the Department of Administration for the purpose of paying employees of line departments, Guam Community College, University of Guam and others for wages lost during fiscal year 1981 as a result of the freeze on reclassifications, meritorious salary increases and increments, and frozen promotions.

Guam Community College--Extended Indefinitely (Public Law 16-108)

Repeals Section 15 of P.L. 14-77 providing for the expiration of Guam Community College on July 1, 1983; recognizes its importance as an educational institution especially in the development of an excellent police and fire academy as well as other academic and vocational educational programs; and, legislates to continue Guam Community College indefinitely.

Guam Community College Apprenticeship Program for the Hotel/Restaurant Industry (Public Law 16-111)

Establishes an apprenticeship program for the hotel/restaurant industry in the Guam Community College and appropriates $200,000 to the Hotel/Restaurant Apprenticeship Fund.

Survey Response

Guam

Top-ranking issues to be faced by the Seventeenth Guam Legislature in 1983 include the following three items, presented in decreasing order of priority:

1. Financial posture of the Government of Guam;
2. Reevaluation of Guam's public utilities;
3. Economic development of the territory of Guam.

NOTES ON THE AUTHORS

S.V. MARTORANA is research associate at The Center for the Study of Higher Education and professor of higher education in the College of Education at Penn State. Dr. Martorana has an M.A. and Ph.D. from the University of Chicago. Previously he served in a number of administrative and policy-making capacities in several colleges and universities as well as in state and federal agencies particularly in the areas of community colleges and statewide planning and coordination. He has published numerous books, monographs, and articles in these areas, among which are College Boards of Trustees, Criteria for Establishing Two-Year Colleges, (with D. Grant Morrison), State Boards Responsible for Higher Education (with Ernest V. Hollis), Cooperative Project Among Colleges and Universities (with J.C. Messersmith and L.O. Nelson, State Formulas for Support of Public 2-Year Colleges (with D.G. Morrison), Managing Academic Change (with Eileen Kuhns), The Political Terrain of American Postsecondary Education (with Clyde Blocker and Louis W. Bender), and Regionalism in American Postsecondary Education (with Lawrence A. Nespoli).

PATRICIA C. CORBETT is a doctoral student in Education Theory and Policy Studies and a research assistant at the Center for the Study of Higher Education of the Pennsylvania State University. She holds a B.A. in administration of justice, and a Master's in public administration from the University of Pittsburgh, as well as a post-master's certificate in educational planning from the Pennsylvania State University. Previously, she has worked in judicial and higher education administration as well as an industrial management consultant. Most recently she has completed several years as a development consultant throughout Central America.

CENTER FOR THE STUDY OF HIGHER EDUCATION
THE PENNSYLVANIA STATE UNIVERSITY

THE CENTER FOR THE STUDY OF HIGHER EDUCATION was established in January 1969 to study higher education as an area of scholarly inquiry and research. Under the direction of Dr. William Toombs, The Center operates with a staff of twenty, including four professional research associates and a cadre of advanced graduate students and supporting staff.

The Center's studies are designed to be relevant not only to the University and the Commonwealth of Pennsylvania but also to colleges and universities throughout the nation. The immediate focus of research activity of the Center's staff falls into the broad areas of institutional governance, state- and system-wide planning and coordination, regionalism, administrative career development, professional continuing education, and community college education.

U.Ed. 83-878

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AUG 5 1983